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[Appropriating \$641,973 of General Fund Reserve to backfill reduced federal funding for A.I.D.S. Services for the Department of Public Health for Fiscal Year 2006-2007.]

Ordinance appropriating \$641,973 of General Fund Reserve to backfill the reduction of earmarked A.I.D.S. services funding from the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services, in the Department of Public Health for Fiscal Year 2006-2007.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The sources of funding outlined below are herein appropriated to reflect the funding available for Fiscal Year 2006-2007.

SOURCES Appropriation

Fund	Index Code	Subobject	Description	Amount
1G AGF AAA – GF-	*CON1GAGFAAA	098GR	General Fund	\$641,973
Non-Project-			Reserve	
Controlled				
Total SOURCES Appropriation				\$641,973

Section 2. The of uses funding outlined below are herein appropriated in the Subobject 02700, Professional and Specialized Services, and reflects the projected uses of funding to support the backfill of earmarked A.I.D.S. services funding from the Centers for Medicare and Medicaid Services for the Department of Public Health for Fiscal Year 2006-2007.

Supervisor Daly, Ammiano, Duffy, MirKarimi
Board of Supervisors

DOCUMENTS DEPT.

APR - 3 2007

Page 1 of 2

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USES Appropriation

Fund	Index Code / Project Code	Subobject	Description	Amount
1G AGF AAA -	HCHPDHIVSCGF	02700 - Professional	Professional and Consultant	\$641,973
GF-Non-Project		and Specialized	Services	
Controlled		Services		
Total USES Appropriation				\$641,973

FUNDS AVAILABLE

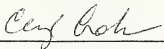
APPROVED AS TO FORM:

EDWARD M. HARRINGTON

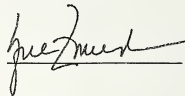
DENNIS J. HERRERA, City Attorney

Controller

By:



By:



Deputy City Attorney

Date: 01/30/07



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070123

Date Passed:

Ordinance appropriating \$641,973 of General Fund Reserve to backfill the reduction of earmarked A.I.D.S. services funding from the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services, in the Department of Public Health for Fiscal Year 2006-2007.

February 27, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

March 6, 2007 Board of Supervisors — FINALLY PASSED

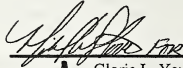
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

File No. 070123

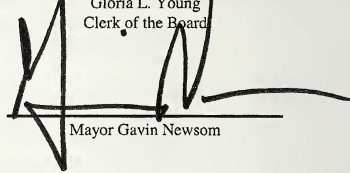
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on March 6, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

3/9/07

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom

FILE NO. 051844

ORDINANCE NO.

52-07

[Planning Code—General Advertising Signs Enforcement Provisions.]

Ordinance amending the San Francisco Planning Code by amending Section 610 regarding the enforcement provisions for general advertising sign violations, by, among other things, deeming violations of this section a public nuisance, defining "Responsible Party", amending the penalty accrual, amount and collection provisions, requiring building permits for compliance work, providing for reconsideration hearings before an administrative law judge, and establishing a hearing fee; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors of the City and County of San Francisco hereby finds and determines that:

(a) General Plan and Planning Code Findings.

(1) On Jan. 11, 2007 at a duly noticed public hearing, the Planning Commission in Resolution No. 17356 found that the proposed Planning Code amendments contained in this ordinance were consistent with the City's General Plan and with Planning Code Section 101.1(b). In addition, the Planning Commission recommended that the Board of Supervisors adopt the proposed Planning Code amendments. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 051844 and is incorporated herein by reference. The Board finds that the proposed Planning Code

1 amendments contained in this ordinance are consistent with the City's General Plan and with
2 Planning Code Section 101.1(b) for the reasons set forth in said Resolution.

3 (2) Pursuant to Planning Code Section 302, the Board finds that the proposed
4 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in
5 Planning Commission Resolution No. 17356, which reasons are incorporated
6 herein by reference as though fully set forth.

7 (b) Environmental Findings. The Planning Department has determined that the
8 actions contemplated in this Ordinance are in compliance with the California Environmental
9 Quality Act (California Public Resources Code section 21000 et seq.). Said determination is
10 on file with the Clerk of the Board of Supervisors in File No. 051844 and is
11 incorporated herein by reference.

12 (c) Intent. The intent of Planning Code Section 610 is to provide methods for the
13 Planning Department to successfully eliminate illegal general advertising signs identified
14 throughout San Francisco, to discourage violation of the Planning Code regarding illegal
15 general advertising signs, and to accomplish these objectives without taxpayer expense.

16
17 Section 2. The San Francisco Planning Code is hereby amended by amending Section
18 610, to read as follows:

19 **SEC. 610. VIOLATION OF GENERAL ADVERTISING SIGN REQUIREMENTS.**

20 (a) General. The penalties and methods of enforcement set forth in this Section
21 610 are in addition to those set forth in Section 176 of this Code and ~~in addition to~~ any other
22 penalties or methods of enforcement authorized by law. In light of the findings of Proposition G,
23 approved by the voters in March of 2002, a violation of the Code's general advertising sign
24 requirements is deemed to be a public nuisance.

(b) Administrative Penalties. The Director of Planning may impose administrative penalties for violations of the regulations governing general advertising signs set forth in this Article, in accordance with the following procedures:

(1) Notice of Violation.

(A) Upon the Planning Department's determination pursuant to Section 176 of this Code that a general advertising sign has been erected, ~~or otherwise installed,~~ expanded, intensified, relocated, or otherwise operated in violation of the requirements of this Article ~~Code or has been denied an in-lieu identifying number pursuant to Section 604.1(c) of this Code,~~ the Director shall send a written notice of violation to the Responsible Party; by first class mail or hand-delivery, ~~to both the owner or owners of the property, as listed in the Assessor's records, and the company that erected or installed the sign, if different from the owner or owners (together, the "Responsible Parties").~~ The notice of violation shall describe the violation(s), state that the Responsible Parties ~~have up to has forty-five business days from the date postmarked on the notice or from the date of hand-delivery of the notice to:~~ (i) file an application for a permit to remove the general advertising sign; (ii) correct the violation(s) pursuant to Subsection (c); or (iii) request reconsideration pursuant to Subsection (d). ~~or be subject to the imposition of administrative penalties and abatement action, state the amount of the administrative penalty and fees to be imposed, and notify the Responsible Parties that they have the right to request the Director's reconsideration by filing such a request within 15 business days of the date of the notice. If the identity of the company that installed the sign is unknown, the notice to the company shall be sent as soon as its identity is determined.~~

(B) Responsible Party. For the purposes of this Section 610, "Responsible Party" shall mean the owner(s) of the real property on which the general advertising sign is located, as listed in the Assessor's record, and the current leaseholder(s) or owner(s) of the general advertising sign, if different from the owner(s) of the real property. If the identity of the person or business entity that

1 installed or operates the general advertising sign is unknown, the notice of violation shall be posted as
2 close as practicable to the location of the sign; once the identity of the person or business entity is
3 known, notice of violation shall be sent to such person or business entity without any such delay
4 affecting the time limits, fees, or penalties imposed by this Section 610.

5 (2) Amount of Penalties.

6 (A) Accrual of Penalties. If a Responsible Party fails to respond to the notice of violation as
7 outlined in Subsection (b)(1)(A), penalties shall accrue under this Section 610 at the daily rate set forth
8 in Subsection (b)(2)(B) beginning on the forty-sixth day and the Director shall refer the matter to the
9 City Attorney for further action. If the Responsible Party responds after forty-five days, but before the
10 Director has referred the matter to the City Attorney, the Responsible Party shall be assessed a penalty
11 based on the number of days that have passed between the end of the forty-five day period and the date
12 the Responsible Party responded. Once the matter has been referred to the City Attorney for further
13 proceedings, it shall be within the discretion of the City Attorney, in consultation with the Director,
14 whether to allow the Responsible Party to request a reconsideration of the notice of violation or to
15 proceed with other legal action. If the Responsible Party is allowed to request reconsideration, the
16 Responsible Party shall pay a penalty based on the amount accrued between the end of the forty-five
17 day period and the date the Responsible Party responded. The Responsible Party shall pay this penalty
18 within five (5) business days of notice that the Responsible Party will be allowed to request
19 reconsideration.

20 The administrative penalties assessed against the Responsible Parties by the Director shall be
21 at least \$1,000.00 but shall not exceed \$2,500.00 per day per violation per Responsible Party. In
22 determining the amount of the penalty, the Director shall take into account:

23 (i) Whether there have been any previous violations within the past five years;

24 (ii) The nature of the violation and its impact on the public;

(iii) ~~The Responsible Party or Parties' efforts, if any, to correct the violation;~~

(iv) ~~The speed of compliance with the City's enforcement action;~~

(v) ~~Whether the Responsible Party knew or should reasonably have known that there was a violation; and~~

(vi) ~~Such additional factors as the Director may determine are appropriate.~~

(3) ~~Additional Fees. In addition to the administrative penalty assessed pursuant to Subsection (2) above, the Director may assess additional fees to cover the costs incurred in enforcing the administrative penalty or abating the violations, including the costs of other City agencies.~~

(4) ~~Duration of Penalties. Penalties and fees assessed under this Section shall continue to accrue against the Responsible Parties until the violations of Article 6 have been abated or otherwise remedied in the sole judgment of the Director. However, penalties and fees shall not accrue for 15 days after the date of the notice required in Subsection (b)(1) above and during the pendency of any request for reconsideration filed pursuant to Subsection (7) below and for a five-day period after the Director's final decision has been mailed or hand-delivered to the Responsible Party or Parties.~~

(B) Amount of Penalties. The administrative penalties that the Director or administrative law judge assesses against the Responsible Parties shall be related to the square footage of the general advertising sign found to be in violation of the Planning Code, as shown below:

(i) 100 square feet or less -- \$100 per day per violation;

(ii) 101 – 300 square feet -- \$1,000 per day per violation;

(iii) 301 – 500 square feet -- \$1,750 per day per violation; and

(iv) Over 500 square feet -- \$2,500 per day per violation.

If the violation for which the administrative penalty is assessed has increased the size of the general advertising sign, the penalty shall be based on the actual size of the general advertising sign.

1 ~~(5)(C)~~ Collection. *The Director shall notify the Responsible Party or Parties in writing of the*
2 *amount of the penalty and fees and declare that such costs are due and payable to the Treasurer of the*
3 *City and County of San Francisco within 30 days of the date of the notice. If the penalty and fee are*
4 *not paid within 30 days of the notice, the The Director shall may request that the Tax Collector*
5 *pursue collection of the any penalty and fee against the property owner, up to and from the*
6 *Responsible Party including imposition of a special assessment lien in accordance with the*
7 *requirements of Article XX of Chapter 10 of the San Francisco Administrative Code*
8 *(commencing with Section 10.230). The Director shall may also request that the City Attorney*
9 *pursue collection of the penalty and fee against the ~~sign company~~ Responsible Party in a civil*
10 *action to enforce the provisions of this Code.*

11 ~~(6)(D)~~ Planning Code Enforcement Fund. Fees and penalties collected pursuant to
12 this Section 610 shall be deposited in the Planning Code Enforcement Fund established in
13 Administrative Code Section 10.100-166.

14 ~~(7)~~ *Review of Imposition of Penalty. Any person designated as a Responsible Party may*
15 *seek the Director's reconsideration of that designation or of the assessment and amount of the penalty*
16 *or fee imposed by requesting a hearing on the matter. Reconsideration is initiated by filing a request*
17 *for reconsideration and hearing with the Director that specifies in detail the basis for the request. The*
18 *request shall be filed within 15 business days of the date of notice of the imposition of the penalty or*
19 *fee. Within 10 days of the receipt of the request for reconsideration, unless extended by mutual*
20 *agreement of the affected parties, the Director or his or her designee shall reconsider the matter and*
21 *render a final decision, which shall not be appealable.*

22 ~~(c)~~ *Building Permit. A building permit shall be required to remove or modify any general*
23 *advertising sign when such removal or modification is required pursuant to this Section 610.*

1 (1) Additional time and material costs ~~may~~ shall be added to the Building Permit fee
2 pursuant to Section 350(c).

3 (2) The Responsible Party has thirty days from the filing of any required building permit
4 application to remove or modify the general advertising sign to either: (i) obtain a Final
5 Inspection Approval or Certificate of Final Completion from the Department of Building Inspection
6 (DBI); or (ii) remove all advertising copy from the general advertising sign until the required DBI
7 approval is obtained. If the Final Inspection Approval or Certificate of Final Completion has not been
8 obtained or the advertising copy has not been removed within this time period, penalties shall accrue at
9 the daily rate outlined in Subsection (b)(2)(B) until the advertising copy is removed or the required DBI
10 approval is obtained.

11 (d) Reconsideration of Notice of Violation or Administrative Penalty.

12 (1) Reconsideration Hearing.

13 (A) A Responsible Party may seek reconsideration of the issuance of the notice of violation
14 or any administrative penalty. Any request for reconsideration shall be accompanied by written
15 evidence that demonstrates why the notice of violation was issued in error or why the administrative
16 penalties were assessed in error. Upon receipt of a request for reconsideration within the time limits
17 established by Subsection (b)(1)(A) or when allowed under Subsection (b)(2)(A), the Planning
18 Department shall schedule a reconsideration hearing before an administrative law judge. Such
19 hearing shall be scheduled for a date no later than 60 days after the request, unless the parties
20 otherwise agree. At least 10 days before the scheduled hearing, the Planning Department shall notify
21 the Responsible Party by mail in writing of the hearing date, time, and location.

22 (B) The administrative law judge shall hold a hearing to reconsider the director's notice of
23 violation or administrative penalty. The administrative law judge's decision for a reconsideration of
24 the notice of violation shall be based upon, but not limited to, the Planning Code, any final Zoning
25

1 Administrator Interpretations, the Building Code, building permits issued by the City, and any final
2 decisions of the Board of Appeals regarding the subject property. The administrative law judge's
3 determination of a request for reconsideration of any administrative penalty shall take into account the
4 validity of accrual dates, accuracy of assessment based upon sign size and whether the Responsible
5 Party was accurately identified. Within 30 days of the hearing, the administrative law judge shall issue
6 a final written decision, which shall be mailed to the Responsible Party. The final written decision
7 shall not be appealable to the Board of Appeals. All final written decisions shall inform the
8 Responsible Party of its right to seek judicial review pursuant to the timelines set forth in Section
9 1094.6 of the California Code of Civil Procedure.

10 (C) If the Planning Department rescinds the notice of violation or penalties prior to the
11 reconsideration hearing, the case shall be considered abated and all accrued penalties shall be
12 rescinded. If penalties or the reconsideration hearing fee set forth in Subsection (d)(2), below, have
13 been paid, the Planning Department shall refund in a timely matter any unused portions of the
14 penalties or fee.

15 If the administrative law judge overturns the notice of violation or penalties, the case shall be
16 abated and all accrued penalties shall be rescinded. If penalties have been paid, the Planning
17 Department shall refund the penalties.

18 If the Responsible Party withdraws its request for reconsideration of notice of violation or
19 penalties prior to the reconsideration hearing and cures the violation(s) by filing for a building permit
20 under subsection(c), any accrued penalties shall apply in addition to a mandatory fifteen ten-day
21 fixed penalty based upon the daily rate outlined in Subsection (b)(2)(B). The procedures and
22 requirements outlined in Subsection (e) for building permits shall apply. If the request for
23 reconsideration is withdrawn within less than 10 days from the date it was timely made, the
24 Responsible Party may apply to the Director for a reduction in the fixed penalty amount based

1 upon the number of days less than 10 that the reconsideration request was withdrawn. Any
2 such reduction shall be granted or denied at the sole discretion of the Director and is not
3 appealable.

4 If the administrative law judge upholds the notice of violation or penalties, the Responsible
5 Party shall cure the violation(s) by filing for a building permit pursuant to the procedures and
6 requirements of Subsection (c) within fifteen days of the date the decision is mailed to the Responsible
7 Party. The Responsible Party shall be subject to any accrued penalties, plus a mandatory thirty
8 twenty-day fixed penalty based upon the daily rate outlined in Subsection (b)(2)(B). If the
9 reconsideration hearing is held within less than 20 days from the date it was timely requested,
10 the Responsible Party may apply to the Director for a reduction in the fixed penalty amount
11 based upon the number of days less than 20 that the reconsideration hearing was held. Any
12 such reduction shall be granted at the sole discretion of the Director and is not appealable. If
13 the Responsible Party does not file for a building permit within the fifteen-day period, additional
14 penalties shall accrue at the daily rate outlined in Subsection (b)(2)(B) and the Director shall refer the
15 case to the City Attorney for further action.

16 (2) Reconsideration Hearing Fee. At the time the Responsible Party requests
17 reconsideration, the Responsible Party shall pay an initial hearing fee of \$3,400.00 to the Planning
18 Department; the Responsible Party shall also be liable for time and materials as set forth in
19 Section 350(c). The Planning Department shall increase this fee on an annual basis at a rate equal to
20 that of the Consumer Price Index (CPI). The fee shall be waived if the Responsible Party would qualify
21 for a waiver of court fees and costs pursuant to California Government Code Section 68511.3, as
22 amended from time to time. Additionally, if the Responsible Party withdraws its request for
23 reconsideration, any portion of the fee not expended to process the hearing shall be refunded.

1 (3) Postponement. The administrative law judge may grant a postponement of a hearing for
2 Good Cause. Requests for postponement of a hearing shall be made in writing at the earliest date
3 possible, with supporting documentation attached. The party requesting the postponement shall notify
4 any other parties of the request and provide them with copies of the complete request and the
5 supporting documentation.

6 For the purposes of this Section 610, "Good Cause" includes, but is not limited, to the
7 following:

8 (A) The illness of a party, an attorney or other authorized representative of a party, or a
9 material witness of a party;

10 (B) Verified travel outside of San Francisco scheduled before the receipt of notice of the
11 hearing; or,

12 (C) Any other reason which makes it impractical to appear on the scheduled date due to
13 unforeseen circumstances or verified pre-arranged plans that cannot be changed. Mere inconvenience
14 in appearing shall not constitute "good cause."

15 (e) Failure of the City, including the Director, the Planning Department, or the
16 administrative law judge, to act within any of the timeframes set forth in this Section 610 shall not be
17 considered approval of any general advertising sign.

18
19 Section 3.

20 Review of Effectiveness. One year after enactment and implementation of the
21 provisions of Section 610 as amended, the Planning Commission shall review performance
22 and effectiveness of the general advertising sign enforcement program and shall recommend
23 any further revisions to improve performance and effectiveness. Additionally, the Planning
24 Commission shall review penalty rates every five years and adjust as necessary.

1 The Planning Commission, upon receiving the Planning Department's report that all
2 signs in the General Advertising Sign Inventory have been verified pursuant to the reporting
3 requirements of Section 604.2(h), shall consider proposing modifications to the enforcement
4 process contained in this Section 610 to include the assessment of mandatory fixed penalties
5 upon issuance of a Notice of Violation.
6

7 APPROVED AS TO FORM:
8 DENNIS J. HERRERA, City Attorney

9 By: _____

10 Marlena G. Byrne
11 Deputy City Attorney
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City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 051844

Date Passed:

Ordinance amending the San Francisco Planning Code by amending Section 610 regarding the enforcement provisions for general advertising sign violations, by, among other things, deeming violations of this section a public nuisance, defining "Responsible Party", amending the penalty accrual, amount and collection provisions, requiring building permits for compliance work, providing for reconsideration hearings before an administrative law judge, and establishing a hearing fee; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

November 7, 2006 Board of Supervisors — SUBSTITUTED

February 27, 2007 Board of Supervisors — AMENDED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Absent: 2 - Dufty, Jew

February 27, 2007 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Jew, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

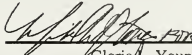
March 6, 2007 Board of Supervisors — FINALLY PASSED

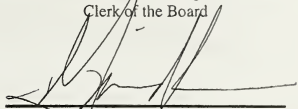
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 051844

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 6, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

3/16/07
Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom

FILE NO. 070083

ORDINANCE NO.

53-07

[Public Works Construction – Use of Recycled Content Materials.]

Ordinance amending Chapter 6 of the Administrative Code by amending Section 6.4 to require recycled content materials to be used in public works and improvements to the maximum extent feasible.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors finds and declares the following:

A. San Francisco is required by state law to divert at least 50% of its waste stream from landfill, and, in Resolution No. 0679-02, the Board of Supervisors set a goal of diverting 75% of San Francisco's waste from landfill by 2010 and authorized the Commission on the Environment to set a zero waste goal, which was established as 2020. Accordingly, the City must find alternatives to landfilling for materials, such as high volume heavy construction materials, that can be reused.

B. City public works projects generate thousands of tons of used concrete, asphalt and mixed inerts which can be re-manufactured into usable construction materials. Several businesses located in the City and the Bay Area accept used building materials from the City and re-manufacture these materials, thus creating a readily available source of recycled content building materials.

C. Recycled building materials meet performance standards and are frequently less expensive than virgin materials. Further, the use of such materials reduces the cost of City projects, creates employment, reduces emissions by transport vehicles, reduces wear and tear on streets, and supports the local economy.

DOCUMENTS DEPT.

1 D. The Department of Public Works ("DPW") has approved the use of 100%
2 recycled aggregate and sand to manufacture non-structural concrete for curbs, gutters,
3 sidewalks and curb ramps and for use in making asphalt. DPW has also approved recycled
4 aggregate for use as base rock, building ballast, drain rock, rip-rap, and for use in cement-
5 treated base. The use of these materials effectively closes the recycling loop on City
6 construction projects.

7 Section 2. The San Francisco Administrative Code is hereby amended by amending
8 Section 6.4, to read as follows:

9 **SEC. 6.4. PREFERENCE FOR LOCAL MANUFACTURERS AND INDUSTRY; RECYCLED**
10 **CONTENT MATERIALS.**

11 **(a) Local preference.** Whenever any preference in favor of local manufacturers or
12 industry is provided by State law or ordinance or resolution of the Board of Supervisors, the
13 same shall apply to contracts under this Chapter.

14 **(b) Recycled Content Materials.**

15 **(1) Requirement.** *The department head or officer calling for bids shall specify recycled*
16 *content materials, rather than virgin materials, to the maximum extent feasible in the Advertisement for*
17 *Bids and plans for all contracts for public works or improvements.*

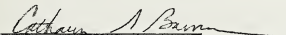
18 **(2) Definitions.** *For the limited purpose of this subsection, the following terms shall have*
19 *the following meanings: (A) "feasible" means that recycled content materials meet the requirements*
20 *of the California Building Code or other adopted standards or regulations for each of the*
21 *materials and its intended use performance specifications, are permitted to be used in the manner*
22 *specified in the bid specifications under Federal, State and local law, are available within the project's*
23 *time line, and are comparable in price to virgin materials, and (B) "recycled content materials" means*
24 *a building component utilized in place of raw or virgin material that is either reclaimed for reuse from*

1 a prior structure or assembly, or a building material or component manufactured in part from waste
2 materials and/or by-products recovered or diverted from solid waste, excluding those materials and by-
3 products generated from, and commonly reused within, an original manufacturing process.

4 (3) Department of the Environment, Reports. Contract Awarding Authorities shall (a)
5 consult with the Department of the Environment regarding available recycled content products that
6 meet the needs of the department; and (b) include information on recycled content material used on
7 public works contracts in the annual reporting to the Department of the Environment specified in the
8 Environment Code.

9
10 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

11 By:

12 
13 CATHARINE S. BARNES
14 Deputy City Attorney
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 070083

Date Passed:

Ordinance amending Chapter 6 of the Administrative Code by amending Section 6.4 to require recycled content materials to be used in public works and improvements to the maximum extent feasible.

March 6, 2007 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

March 6, 2007 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Jew, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Elsbernd, Peskin

March 13, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 6 - Daly, Dufty, Jew, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Excused: 3 - Ammiano, Maxwell, McGoldrick

File No. 070083

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 13, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/23/07
Date Approved

Gloria L. Young
Clerk of the Board

Mayor Gavin Newsom

[Recreation and Park—Prohibition of alcoholic beverages in South Park.]

Ordinance amending the San Francisco Park Code Sec. 4.10 to prohibit the consumption of alcoholic beverages in South Park.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Park Code is hereby amended by amending Sec. 4.10 to read as follows:

SEC. 4.10. ALCOHOLIC BEVERAGES.

(a) No person shall consume alcoholic beverages of any kind in any building, children's playground, swimming pool, restroom, or any of the parks or portions of parks as follows, except with the permission of the Recreation and Park Department.

Alice Chalmers Playground;
Argonne Park;
Bayview Playground;
Bernal Playground;
Boeddeker Park;
Buchanan Street Mall;
Buena Vista Park;
Cayuga Playground;
Chinese Playground;
Civic Center Plaza;
Crocker Amazon Playground;

DOCUMENTS DEPT.

APR 17 2007

1 Duboce Park;
2 Eureka Valley Recreation Center;
3 Excelsior Playground;
4 Franklin Square;
5 Fulton Park;
6 Garfield Square;
7 Gilman Playground;
8 The areas of Golden Gate Park consisting of:
9 The Panhandle (bordered by Fell, Baker, Oak and Stanyan Streets),
10 Stanyan Meadow Area (bordered by JFK Drive, Stanyan Street, Waller Street and
11 Kezar Drive),
12 Kezar Stadium Park (bordered by Waller Street, Stanyan Street, Frederick Street,
13 Martin Luther King Junior Drive and Kezar Drive);
14 Hallidie Plaza;
15 Hamilton Recreation Center;
16 Hayes Valley Playground;
17 Holly Park;
18 Jefferson Square;
19 Jose Coronado Playground;
20 Joseph Conrad Square;
21 Joseph Lee Recreation Center;
22 Juri Commons Mini Park;
23 Kimball Playground;
24 Lang Field;

- 1 Laurel Hill Playground;
- 2 Lessing Sears Mini Park;
- 3 Margaret Hayward Playground;
- 4 McKinley Square;
- 5 Merced Heights Playground;
- 6 Mission Dolores Park;
- 7 Mission Playground and Recreation Center;
- 8 North Beach Playground;
- 9 Oceanview Playground;
- 10 Pine Lake Park;
- 11 Pioneer Park;
- 12 Portsmouth Square;
- 13 Potrero del Sol Park;
- 14 St. Mary's Recreation Center;
- 15 St. Mary's Square;
- 16 Silver Terrace Park;
- 17 South Park
- 18 Sunnyside Conservatory;
- 19 Union Square Park;
- 20 United Nations Plaza;
- 21 Upper Noe Recreation Center;
- 22 Washington Square Park;
- 23 Wawona Clubhouse;
- 24 West Sunset Playground;
- 25

1 Youngblood Coleman Playground.

2 (b) The General Manager of the Recreation and Park Department or the Recreation
3 and Park Commission may grant permission to consume alcohol in the parks and portions of
4 parks where such activity is prohibited by Subsection (a), above, if the General Manager or
5 the Commission determines that the consumption of alcohol will not interfere with the public's
6 use and enjoyment of the park.

7
8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

10 By:

11 
12 VIRGINIA DARIO ELIZONDO
13 Deputy City Attorney
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 061646

Date Passed:

Ordinance amending the San Francisco Park Code Sec. 4.10 to prohibit the consumption of alcoholic beverages in South Park.

March 6, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

March 13, 2007 Board of Supervisors — FINALLY PASSED

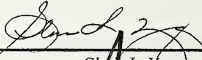
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

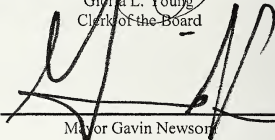
File No. 061646

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on March 13, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/23/07

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom

[Sale of Vacant City Property on Alemany Boulevard near Ocean Avenue.]

Ordinance ordering the sale of City-owned property located on Alemany Boulevard, between Ocean Avenue and Onondaga Avenue, commonly known as Assessor's Block Number 6954, Lot 11C; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting findings that Administrative Code Chapter 23A does not apply to such sale; and authorizing other actions in furtherance of this ordinance.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Director of Public Works and the Director of Property, the Board of Supervisors ("Board") hereby declares that the public interest or necessity will not be inconvenienced by the sale of property located on Alemany Boulevard, between Ocean Avenue and Onondaga Avenue, commonly known as Lot 11C in Assessor's Block 6954 (the "Property") owned by the City, which is a vacant lot located within the City and County of San Francisco, as identified on an aerial photograph, a copy of which is on file with the Clerk of the Board of Supervisors in File No. 061533, to Walbridge Terraces, LLC, a California limited liability company, the adjoining landowner ("Buyer").

Section 2. The Property is under the jurisdiction of the Department of Public Works, which has determined that the Property is surplus and is no longer needed for its efficient and proper operation.

DOCUMENTS DEPT.

APR 17 2007

Supervisor Sandoval Peskin, Daly, Duffy, Mirkarimi
BOARD OF SUPERVISORS

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Page 1
11/6/2006

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1 Section 3. The Property is not capable of independent development due to its size,
2 grade and location and it would be impractical to sell the Property through a competitive bid
3 process. Buyer is the only potential purchaser of the Property and is willing to pay \$850,000,
4 which is more than the appraised fair market value, for the Property as long as the use
5 classification for the Property is changed from RH-1 to NC-3 prior to the close of escrow.

6 Section 4. On October 5, 2006, at a duly noticed public hearing, the Planning
7 Commission in Motion No. 17317 found that the sale of the Property was consistent with the
8 City's General Plan and with Planning Code Section 101.1(b). A copy of the Motion is on file
9 with the Clerk of the Board of Supervisors in File No. 061533 and is incorporated
10 herein by reference. The Board finds that the proposed sale is consistent with the City's
11 General Plan and with Planning Code Section 101.1(b) for the reasons set forth in said
12 Motion.

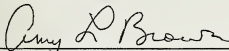
13 Section 5. Pursuant to the California Environmental Quality Act ("CEQA"), State CEQA
14 Guidelines and Chapter 31 of the San Francisco Administrative Code, on August 23, 2006,
15 the Planning Department determined that the sale of the Property would have no significant
16 effect on the environment. A copy of such determination is on file with the Clerk of the Board
17 of Supervisors in File No. 061533 and is incorporated herein by reference.

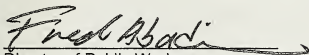
18 Section 6. The Board of Supervisors hereby authorizes the Director of Property, on
19 behalf of the City and County of San Francisco, to enter into and consummate the
20 transactions contemplated under a purchase agreement between the City and County of San
21 Francisco and Buyer.

22 Section 7. The sale of the Property to Buyer in the manner described in this ordinance
23 shall not be subject to Chapter 23A of the San Francisco Administrative Code, the Surplus
24 City Property Ordinance.
25

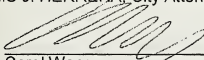
1 Section 8. The Mayor, Clerk of the Board, Controller, and Director of Property are
2 hereby authorized and directed to take any and all actions which they or the City Attorney may
3 deem necessary or advisable in order to effectuate the purpose and intent of this ordinance.

4 RECOMMENDED:

5 
6 _____
7 Director of Property

8 
9 _____
Director of Public Works

10 APPROVED AS TO FORM:
11 DENNIS J. HERRERA, City Attorney

12 By: 
13 _____
14 Carol Wong
15 Deputy City Attorney
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City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 061533

Date Passed:

Ordinance ordering the sale of City-owned property located on Alemany Boulevard, between Ocean Avenue and Onondaga Avenue, commonly known as Assessor's Block Number 6954, Lot 11C; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting findings that Administrative Code Chapter 23A does not apply to such sale; and authorizing other actions in furtherance of this ordinance.

February 27, 2007 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

March 6, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

March 13, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

File No. 061533

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 13, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/23/07

Date Approved

Amend. 2

Gloria L. Young

Clerk of the Board

Mayor Gavin Newsom

1 [Police Charity Audits.]

2
3 Ordinance amending the San Francisco Police Code Section 660.4-1 requiring the
4 Controller to audit financial statements of charitable organizations submitted pursuant
5 to Section 660.3(e) of the Police Code.

6 Note: Additions are single-underline italics Times New Roman;
7 deletions are ~~strikethrough italics Times New Roman~~.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. The San Francisco Police Code Section 660.4-1 is hereby amended to read
12 as follows:

13 SEC. 660.4-1. ANNUAL AUDITS.

14 (a) ~~Each calendar year,~~ At the request of the Police Department, the Controller of
15 the City and County of San Francisco shall audit for accuracy and completeness any identified
16 ~~three randomly selected~~ financial statements submitted by a charitable organizations under
17 Section 660.3(e) of this Code, provided that charitable organizations whose financial
18 statements indicate that the organization received less than \$1,000 in contributions from
19 solicitations and sales solicitations in the immediately preceding reporting period shall not be
20 subject to such audits. When audits are performed, ~~the~~ Controller ~~periodically~~ shall prepare
21 reports which shall be sent to the San Francisco District Attorney and California Attorney
22 General. The reports of the Controller shall be public documents and shall contain the
23 Controller's findings with respect to the accuracy and completeness of each statement
24 reviewed. The audits should be conducted with maximum efficiency in a cost-effective
25 manner and should be as unobtrusive as possible consistent with the foregoing purposes of
the audit. No employee or agent of the Controller shall divulge or make known any record or

1 information received pursuant to this section except in furtherance of the purposes of this
2 section.

3 (b) It shall be the duty of each charitable organization to keep such detailed
4 accounts and records as shall be reasonably necessary for the Controller to conduct the
5 audits required by this section.

6
7 APPROVED AS TO FORM:
8 DENNIS J. HERRERA, City Attorney

9 By: 
10 CHERYL ADAMS
11 Deputy City Attorney
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070090

Date Passed:

Ordinance amending the San Francisco Police Code Section 660.4-1 requiring the Controller to audit financial statements of charitable organizations submitted pursuant to Section 660.3(e) of the Police Code.

March 6, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

March 13, 2007 Board of Supervisors — FINALLY PASSED

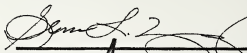
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

File No. 070090

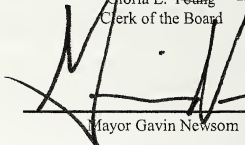
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on March 13, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/23/07

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom

[Zoning Map Amendment for 915 Cayuga Avenue.]

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco in order to shift a zoning district boundary which is located entirely within Assessor's Block 6954 Lot 033 and which divides an RH-1 (Residential, House, One Family) District from an NC-3 (Neighborhood Commercial, Moderate Scale) District approximately 20 feet in a northwesterly direction to increase the portion of the lot that is zoned NC-3; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors hereby finds and determines as follows:

(a) Pursuant to Planning Code Section 302, The Board finds that this ordinance will serve the public necessity, convenience and welfare for the reasons set forth in Planning Commission Resolution No. 17318, and incorporates such reasons by this reference thereto.

(b) The Board finds that this ordinance is in conformity with the Priority Policies of Section 101.1(b) of the Planning Code and the General Plan and hereby adopts the findings of the Planning Commission, as set forth in Planning Commission Resolution No. 17318 and incorporates said findings by this reference as if fully set forth herein.

(c) On August 23, 2006, the Planning Department issued a General Rule Exclusion analyzing the proposed zoning modification in compliance with the California Environmental Quality Act ("CEQA") (California Public Resources Code sections 21000 et seq.), the State

1 CEQA Guidelines (California Code of Regulations Title 14 sections 15000 et seq.), and
2 Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

3 On October 5, 2006, the Planning Commission held a duly noticed public hearing and
4 in Resolution No. 17318, the Planning Commission recommended amendments to the
5 Zoning Map of the City and County of San Francisco for property at 915 Cayuga Avenue.
6 Said amendments and accompanying maps and property descriptions, copies of which are on
7 file with the Clerk of the Board of Supervisors in File No. 061480, are incorporated by
8 reference herein.

9 Section 2. Amendment of Section 11 of the Zoning Map. Pursuant to Sections 235 and
10 302(c) of the Planning Code, the following change in zoning classification, duly approved by
11 resolution of the Planning Commission and shown and legally delineated in Planning
12 Commission Resolution No. 17318, is hereby adopted as an amendment to Zoning Map
13 Sheet 11 of the City and County of San Francisco, so that the zoning district boundary which
14 runs through Assessor's Block 6954 Lot 033 and causes the northwestern portion of that lot to
15 fall within an RH-1 District and the southeastern portion of that lot to fall within an NC-3
16 Districts is shifted approximately 20 feet to the northwest such that the amended zoning
17 district boundary runs along the southeastern property line of adjacent Lots 034 and 035 in
18 Assessor's Block 6954, thereby increasing the portion of the subject lot which falls within the
19 NC-3 District:
20
21
22
23
24
25

<u>Description of Property</u>	<u>Zoning</u>	<u>Zoning</u>
	<u>District to be</u>	<u>District to be</u>
	<u>Superseded</u>	<u>Approved</u>
Portion of Assessor's	RH-1	NC-3
Block 6954 Lot 033 (referenced		
herein and as mapped in		
Planning Commission Resolution		
No. <u>17318</u>)		

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By:


Susan Cleveland-Knowles



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 061480

Date Passed:

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco in order to shift a zoning district boundary which is located entirely within Assessor's Block 6954 Lot 033 and which divides an RH-1 (Residential, House, One Family) District from an NC-3 (Neighborhood Commercial, Moderate Scale) District approximately 20 feet in a northwesterly direction to increase the portion of the lot that is zoned NC-3; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

January 23, 2007 Board of Supervisors — RE-REFERRED: Land Use and Economic Development Committee

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

March 6, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

March 13, 2007 Board of Supervisors — FINALLY PASSED

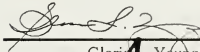
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

File No. 061480

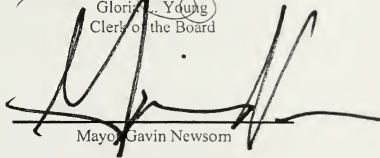
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 13, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/23/07

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom

[Zoning Map Amendment.]

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco to change the use designation of Lot 11C in Assessor's Block 6954 from RH-1 (One-Family) to NC-3 (Moderate-Scale Neighborhood Commercial District); adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. (a) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No.

17316, and incorporates those reasons herein by reference. A copy of said Planning Commission Resolution is on file with the Clerk of the Board of Supervisors in File No. 060640.

(b) The Board of Supervisors finds that this ordinance is in conformity with the General Plan and the Priority Policies of Planning Code Section 101.1(b) for the reasons set forth in Planning Commission Resolution No. 17316, and incorporates those reasons herein by reference.

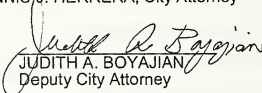
(c) The Planning Department concluded environmental review of this ordinance pursuant to the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and

Chapter 31 of the San Francisco Administrative Code. Documentation of that review is on file with the Clerk of the Board of Supervisors in File No. 060640.

Section 2. Pursuant to Section 302(c) of the San Francisco Planning Code, the following change in property use classification is hereby adopted as an amendment to Sheet 11 of the Zoning Map of the City and County of San Francisco:

<u>Description of Property</u>	<u>Use District to be Superseded</u>	<u>Use District Hereby Approved</u>
Block 6954, Lot 011C	<i>HH-1</i>	<u>NC-3</u>

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
JUDITH A. BOYAJIAN
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 060640

Date Passed:

Ordinance amending the San Francisco Planning Code by amending Sheet 11 of the Zoning Map of the City and County of San Francisco to change the use designation of Lot 11C in Assessor's Block 6954 from RH-1 (One-Family) to NC-3 (Moderate-Scale Neighborhood Commercial District); adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

January 23, 2007 Board of Supervisors — RE-REFERRED: Land Use and Economic Development Committee

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

March 6, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

March 13, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

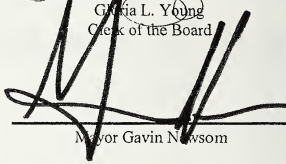
File No. 060640

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 13, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/23/07

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom

59-07

FILE NO. 070136

ORDINANCE NO.

[Appropriation of Assessments Levied for Three Business Improvement Districts Established During Fiscal Year 2006-2007.]

Ordinance amending the Fiscal Year 2006-2007 Annual Appropriation Ordinance by adding Section 30.7, to appropriate revenues collected from special assessments for disbursement to the respective nonprofit owners' associations for administration of the three property and/or business-based business improvement districts established in San Francisco during Fiscal Year 2006-2007 (i.e., the Fillmore Jazz, Central Market, and Fisherman's Wharf Portside Community Benefit Districts), for authorized purposes.

Note: Additions are single-underline italics Times New Roman font; deletions are ~~striketrough-italics Times New Roman font~~. Board amendment additions are double underlined Arial font; Board amendment deletions are ~~striketrough Arial font~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Ordinance No. 202-06, the Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2007, is hereby amended by adding Section 30.7, to read as follows:

Sec. 30.7 Business Improvement Districts Established During Fiscal Year 2006-2007 – the Fillmore Jazz, Central Market, and Fisherman's Wharf Portside Community Benefit Districts. Proceeds from all special assessments levied on real property and businesses included in the property and/or business-based business improvement districts in the City and County of San Francisco are hereby appropriated for the fiscal year ending June 30, 2007 in the respective amounts actually received by the City and County in such fiscal year for each such district. The Controller is authorized to disburse the assessment revenues appropriated by this section to the respective owners' associations (as defined in Section 36614.5 of the Streets and Highways Code) for such districts as provided in the

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SUPERVISOR PESKIN
BOARD OF SUPERVISORS

APR 17 2007

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Page 1
1/24/07

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1 management district plans, resolutions establishing the districts, annual budgets and management
2 agreements, as approved by the Board of Supervisors for each such district, for the purposes
3 authorized therein, as follows:

4
5 a. Fillmore Jazz Community Benefit District – Special Assessment No. 67

<u>Board File No.</u>	<u>Description</u>	<u>Date</u>	<u>Resolution No.</u>
<u>050878</u>	<u>Management District Plan Approved</u>	<u>June 27, 2006</u>	<u>389-06</u>
<u>061149</u>	<u>Resolution Establishing District and</u> <u>Levying Assessments</u>	<u>Aug. 15, 2006</u>	<u>462-06</u>

10 b. Central Market Community Benefit District – Special Assessment No. 66

<u>Board File No.</u>	<u>Description</u>	<u>Date</u>	<u>Resolution No.</u>
<u>060860</u>	<u>Management District Plan Approved</u>	<u>Sept. 12, 2006</u>	<u>519-06</u>
<u>061393</u>	<u>Resolution Establishing District and</u> <u>Levying Assessments</u>	<u>Oct. 31, 2006</u>	<u>631-06</u>

16 c. Fisherman's Wharf Portside Community Benefit District

<u>Board File No.</u>	<u>Description</u>	<u>Date</u>	<u>Resolution No.</u>
<u>061419</u>	<u>Management District Plan Approved</u>	<u>Oct. 24, 2006</u>	<u>586-06</u>
<u>061660</u>	<u>Resolution Establishing District and</u> <u>Levying Assessments</u>	<u>Dec. 12, 2006</u>	<u>696-06</u>

22 APPROVED AS TO FORM:
23 DENNIS J. HERRERA, City Attorney

24 By:


Marie Corlett Blits
Deputy City Attorney

25
SUPERVISOR PESKIN
BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070136

Date Passed:

Ordinance amending the Fiscal Year 2006-2007 Annual Appropriation Ordinance by adding Section 30.7, to appropriate revenues collected from special assessments for disbursement to the respective nonprofit owners' associations for administration of the three property and/or business-based business improvement districts established in San Francisco during Fiscal Year 2006-2007 (i.e., the Fillmore Jazz, Central Market, and Fisherman's Wharf Portside Community Benefit Districts), for authorized purposes.

March 6, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

March 13, 2007 Board of Supervisors — FINALLY PASSED

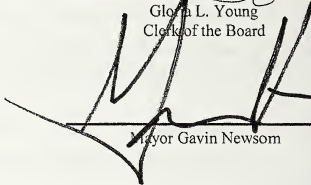
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

File No. 070136

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on March 13, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/23/07
Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom

FILE NO. 070126

ORDINANCE NO.

60-07

[Wild parrots of Telegraph Hill – Tree preservation adjacent to 233 Greenwich Street.]

Ordinance waiving certain provisions of Public Works Code Section 809 to assume responsibility for the preservation of two (2) Monterey Cypress trees adjacent to 233 Greenwich Street (Assessor's Block 85, Lot 32) that provide habitat for the wild parrots of Telegraph Hill, including pruning and removal as set forth herein; imposing specified tree replanting requirements on the property owner of 233 Greenwich Street in furtherance of Public Works Code Section 809's tree replacement provisions; authorizing the Director of Public Works to enter into a sole source agreement with Ted Kipping, Tree Shapers, LLC, for professional services relating to the pruning of said the trees; accepting a gift from the Northeast San Francisco Conservancy to offset the cost of pruning the trees; and authorizing official acts in connection thereto.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough-italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) The documentary and book entitled "The Wild Parrots of Telegraph Hill" brought national and international attention to the unique parrot population of Telegraph Hill and the habitat, protection, and foraging opportunities that certain trees provide in this location.

(b) These wild parrots have become a valued aspect of the identity and culture of the Telegraph Hill neighborhood, bringing curiosity and joy to both residents and visitors to San Francisco.

(c) The parrots' presence has helped to expand the public's interest in urban wildlife and to engage local residents in preserving the urban forest of Telegraph Hill.

DOCUMENTS DEPT.

1 (d) The two (2) remaining Monterey Cypress trees adjacent to 233 Greenwich Street
2 provide valuable habitat to the wild parrots and other wildlife on Telegraph Hill; however, the
3 current condition of these trees require immediate steps to both reduce the danger of their
4 failure from weather and other natural causes and to replace their habitat value with new
5 trees.

6 (e) The property owners of 233 Greenwich Street (the "property owner") (Assessor's
7 Block 85, Lot 32) also own the adjacent vacant property where the subject Monterey Cypress
8 trees are located (aAssessor's Block 85, Lot 33). The property owner, the Northeast San
9 Francisco Conservancy, and City representatives have worked tirelessly to reach a
10 compromise that will both reduce dangers facing the property owner, neighbors, and the
11 general public and allow for the preservation and replacement of this valuable habitat.

12 (f) Based on site visits, analysis as set forth in a December 9, 2005 letter from Ted
13 Kipping of Tree Shapers, LLC, and approaching winter conditions, the Director of the
14 Department of Public Works (the "Director") has determined, pursuant to Public Works Code
15 Section 809 and as set forth in DPW Order No. 176,748, that major pruning and dimensional
16 reduction of these trees ~~consistent with International Society of Arboriculture standards~~ is
17 necessary to avoid characterization of said trees as hazard trees, which are defined in Public
18 Works Code Section 802(o). A copy of said letter and the DPW Order are ~~is~~ on file with the
19 Clerk of the Board of Supervisors in File No. 070126 and is ~~are~~ incorporated herein by
20 reference.

21 (g) After communication with the property owner of 233 Greenwich Street, the Director
22 has determined that said owner proposes immediate removal of the trees instead of major
23 pruning and dimensional reduction. In order to temporarily preserve the trees and benefit the
24 parrots in the near term, the Director has proposed to combine major pruning with
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1 replacement tree plantings and, once the replacement plantings have become established, to
2 remove the Monterey Cypress trees. Due to the unique circumstances of this site, in
3 furtherance of the abatement process set forth in Public Works Code Section 809, and in lieu
4 of the lien procedures in Section 809 the Director recommends that the City assume costs
5 associated with the tree pruning, eventual tree removal, and liability for the trees during this
6 time. In exchange, the Director recommends that the property owner install and assume all
7 costs associated with replacement plantings in accordance with plans subject to the Director's
8 approval. Said plan shall include up to six (6) replacement trees and such trees shall be
9 located on the western side of the vacant property (Assessor's Block 85, Lot 33) within the
10 property's setback area. The replacement plantings shall include, or accomplish a similar
11 habitat replacement as, the following general palette of plant materials: a suitable tree to
12 serve as a look out or sentry tree, such as Norfolk Island Pine (*Araucaria heterophylla*),
13 Canary Island Pine (*Pinus canariensis*), or Lemon-scented Eucalyptus (*Eucalyptus citriodora*);
14 Japanese Stewartia, Golden Chain, Coffeeberry (*Rhamnus californica*), California Holly
15 (*Heteromeles arbutifolia*), Pyrocanthus (*Pyrocantha sps.*), Hawthorne (*Crataegus*
16 *phaenopyrum*), or any of the plant materials recommended in Mr. Kipping's December 9, 2005
17 letter, or similar plant materials to provide shelter, food, and nectar for the parrots and other
18 birds on Telegraph Hill. Such plantings shall occur within three (3) months of the conclusion
19 of the pruning work. Said recommendations are contained in the abovementioned DPW
20 Order.

21 (h) Given the important role of these trees in the lives of the wild parrots of Telegraph
22 Hill and the benefits to the public at large in temporarily preserving said trees, the City
23 considers it in the public interest to assist in facilitating the trees' preservation for a period of
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1 at least three (3) years while replacement trees can be grown that provide suitable habitat for
2 the parrots and other wildlife.

3 Section 2. Urban Forestry Ordinance. This Section of the Ordinance is uncodified.

4 (a) Notwithstanding the requirements of Public Works Code Section 809, the Board
5 hereby authorizes the Director of the Department of Public Works to assume the costs
6 associated with major tree pruning and dimensional reduction of the two (2) Monterey
7 Cypress trees on Assessor's Block 85, Lot 33, which is adjacent to 233 Greenwich Street, as
8 described above, and the removal of said trees three (3) years from the effective date of this
9 legislation or longer if extended as provided below. For purposes of this legislation, all
10 references to tree removal shall mean removal of the subject trees to the ground. Further, the
11 Board, on behalf of the City and County of San Francisco, agrees to assume liability for any
12 and all claims related to said trees, including all City or City-contracted work on the trees,
13 beginning on the effective date of this legislation start date of work associated with the tree
14 pruning and terminating automatically after the Department of Public Works ("DPW") removes
15 the trees and disposes of the tree debris at an appropriate off-site location; provided,
16 however, that the provisions of this legislation may be extended in six (6) month increments
17 beyond the initial term if agreed to in writing by the property owner and the Director of the
18 Department of Public Works (the "Director").

19 (b) In exchange for the City's assumption of the abovementioned obligations and in
20 furtherance of the abatement provisions of Public Works Code Section 809, the property
21 owner of 233 Greenwich shall install and assume the costs of replacement plantings on
22 Assessor's Block 85, Lot 33 as specified above.

23 (c) Notwithstanding the term of this legislation as set forth above, the Director, in the
24 exercise of his or her authority under Public Works Code Section 809, may determine at any
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1 time that said trees become hazard trees and require further abatement or removal in a period
2 shorter than that specified. If the Director makes such a determination, DPW shall assume all
3 costs associated with such work. If the Director determines that the trees must be removed
4 less than three (3) years from the effective date of this legislation, the terms of this legislation
5 shall terminate automatically after DPW has removed the trees and disposed of the tree
6 debris at an appropriate off-site location. If the trees fail during the term of this legislation,
7 DPW shall remove the trees or any remaining portions of such trees, dispose of the debris at
8 an appropriate off-site location, and assume any costs associated with these actions. Should
9 this occur, the legislation shall terminate automatically after DPW has removed the trees and
10 disposed of the debris at an appropriate off-site location.

11 Section 3. Sole Source Contract. (a) The two remaining Monterey Cypress trees
12 adjacent to 233 Greenwich Street are facing imminent decline and possible failure unless the
13 situation is properly abated. The trees are a critical component in the ecosystem of the wild
14 parrots of Telegraph Hill.

15 (b) For approximately eighteen (18) months, City representatives, the property owner,
16 and the NESFC have relied upon the advice and input of Ted Kipping of Tree Shapers LLC, a
17 certified arborist, who designed a tree pruning plan to address the problem affecting these
18 trees. Mr. Kipping developed this plan after numerous site visits to 233 Greenwich Street and
19 Assessor's Block 85, Lot 33, extensive investigation of the trees, and discussions with all
20 affected parties. In doing so, Mr. Kipping developed a thorough knowledge of the site, the
21 trees' conditions, and the unique relationship between the parrots and the subject trees.

22 (c) With winter climatic conditions approaching and the trees' current condition, the
23 pruning project must proceed immediately or the trees or portions thereof may fail causing
24 potential personal and property damage. Procuring a new professional contractor at this late
25

1 stage would be a waste of time and public funds. Given his expertise, familiarity with the site
2 and site conditions, and national recognition in the practice of arboriculture, Mr. Kipping is
3 uniquely qualified to perform the tree pruning services for the Monterey Cypress trees on
4 Assessor's Block 85, Lot 33.

5 (d) The San Francisco Board of Supervisors hereby determines that it is in the best
6 interests of the City and County of San Francisco for Ted Kipping of Tree Shapers LLC, to
7 undertake the tree pruning project adjacent to 233 Greenwich Street, as sole source, on
8 behalf of the City's Department of Public Works.

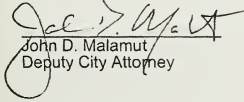
9 (e) The competitive procurement requirements of San Francisco Administrative Code
10 Chapter 6 are hereby waived with respect to Ted Kipping, Tree Shapers LLC, for the sole
11 purpose of the tree pruning project adjacent to 233 Greenwich Street.

12 (f) The Board of Supervisors authorizes the Director to enter into the abovementioned
13 personal services contract.

14 Section 4. Gift Acceptance. The Board of Supervisors acknowledges the Northeast
15 San Francisco Conservancy's commitment to make a generous gift of funds toward the tree
16 pruning work of the subject Monterey Cypress trees adjacent to 233 Greenwich Street. A
17 letter from the Conservancy making such offer is on file with the Clerk of the Board of
18 Supervisors in File No. 070126 and is incorporated herein by reference. The Board
19 accepts such gift of funds on behalf of the City and County of San Francisco and authorizes
20 the Director of Public Works to apply such funds to offset any City costs incurred related to the
21 abovementioned pruning work of the Monterey Cypress trees adjacent to 233 Greenwich
22 Street.

1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

3 By:

4 
5 John D. Malamut
6 Deputy City Attorney



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070126

Date Passed:

Ordinance waiving certain provisions of Public Works Code Section 809 to assume responsibility for the preservation of two (2) Monterey Cypress trees adjacent to 233 Greenwich Street (Assessor's Block 85, Lot 32) that provide habitat for the wild parrots of Telegraph Hill, including pruning and removal as set forth herein, imposing specified tree replanting requirements on the property owner of 233 Greenwich Street in furtherance of Public Works Code Section 809's tree replacement provisions; authorizing the Director of Public Works to enter into a sole source agreement with Ted Kipping, Tree Shapers, LLC, for professional services relating to the pruning of said trees; accepting a gift from the Northeast San Francisco Conservancy to offset the cost of pruning the trees; and authorizing official acts in connection thereto.

March 6, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Sandoval

Noes: 1 - Jew

Excused: 1 - Peskin

March 13, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 6 - Alioto-Pier, Daly, Dufty, Elsbernd, Mirkarimi, Sandoval

Noes: 1 - Jew

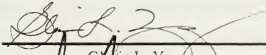
Excused: 4 - Ammiano, Maxwell, McGoldrick, Peskin

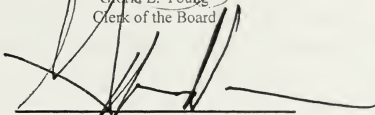
File No. 070126

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 13, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/23/07

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom

FILE NO. 070177

ORDINANCE NO.

61-07
RO#07025
SA#25

[Appropriating \$1,344,490 for Geneva Avenue Car Barn Repairs and Alemany Boulevard Greening Projects in Recreation and Park and Public Works for Fiscal Year 2006-2007.]

Ordinance appropriating \$1,074,490 of Capital & One-Time Spending Rainy Day Reserve and \$270,000 of Recreation and Park Savings Incentive Reserve \$1,344,490 from the General Fund Reserve to support \$1,044,490 for repairs to the Geneva Avenue Car Barn in the Department of Recreation and Park and \$300,000 for Alemany Boulevard greening projects in the Department of Public Works for Fiscal Year 2006-2007.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The sources of funding outlined below are herein appropriated to reflect the funding available for Fiscal Year 2006-07.

SOURCES Appropriation

Fund	Index Code	Subobject	Description	Amount
1G AGF ACP- GF	*CON1GAGFACP	99999R	Rainy Day Reserve- Capital	\$1,074,490
Continuing			and One-Time Spending	
Projects				
1G AGF AAA - GF	RECNSREV	99999R	Recreation and Park	\$270,000
Non-Project			Savings Incentive Reserve	
Controlled				

DOCUMENTS DEPT.

APR 17 2007

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PUBLIC LIBRARY

Supervisor Daly, Sandoval, Duffy, Ammiano, Mirkarimi
Board of Supervisors

1G AGF AAA –	*CON1GAGFAAA	098GR	-General Fund Reserve	\$1,344,490
GF-Non-Project-				
Controlled				

Total SOURCES Appropriation	\$1,344,490
------------------------------------	--------------------

Section 2. The uses of funding outlined below are herein appropriated in Subobject 06700, Buildings, Structures and Improvements, and reflect the projected uses of funding to support Geneva Avenue Car Barn repairs and Alemany Boulevard greening projects in the Department of Recreation and Park and the Department of Public Works for Fiscal Year 2006-2007

USES Appropriation

Fund	Index Code / Project Code	Subobject	Description	Amount
1G AGF ACP –	REC367656	06700 Buildings,	Geneva Avenue Car	\$1,044,490
GF-Continuing		Structures and	Barn Repairs	
Project	Project: CRPGEB01	Improvements		
3C SIF LOC –	PWF093CIFLOC	06700 Buildings,	Alemany Pedestrian	\$300,000
Street		Structures and	Improvements	
Improvement Fund	Project: CUFTRN	Improvements	Project	
Local	AL6810			
Total USES Appropriation				\$1,344,490

Supervisor Daly
Board of Supervisors

Page 2 of 3

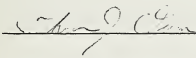
FUNDS AVAILABLE

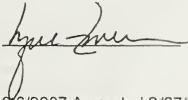
APPROVED AS TO FORM:

EDWARD M. HARRINGTON

DENNIS J. HERRERA, City Attorney

Controller

By: 

By: 

Deputy City Attorney

Date: ~~2/6/2007~~ Amended 2/27/2007



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070177

Date Passed:

Ordinance appropriating \$1,074,490 of Capital & One-Time Spending Rainy Day Reserve and \$270,000 of Recreation and Park Savings Incentive Reserve to support \$1,044,490 for repairs to the Geneva Avenue Car Barn in the Department of Recreation and Park and \$300,000 for Alemany Boulevard greening projects in the Department of Public Works for Fiscal Year 2006-2007.

February 27, 2007 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

February 27, 2007 Board of Supervisors — CONTINUED AS AMENDED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

March 6, 2007 Board of Supervisors — PASSED ON FIRST READING

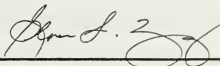
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

March 13, 2007 Board of Supervisors — FINALLY PASSED

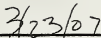
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

File No. 070177

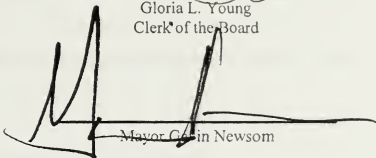
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 13, 2007
by the Board of Supervisors of the City and
County of San Francisco.



Gloria L. Young
Clerk of the Board



Date Approved



Mayor Gavin Newsom

FILE NO. 061534

ORDINANCE NO. 62-07
RO#07017
SA#42

[Appropriating \$850,000 of Property Sale Proceeds for Homeless and Low-Income Housing Geneva Avenue Car Barn Repairs and Alemany Boulevard Greening Projects in the Mayor's Office of Housing Recreation and Park and Public Works for Fiscal Year 2006-2007.]

Ordinance appropriating \$850,000 from the Sale of Surplus Property to for Homeless and Low-Income Housing support \$550,000 for repairs to the Geneva Avenue Car Barn in the Department of Recreation and Park and \$300,000 for Alemany Boulevard greening projects in the Mayor's Office of Housing Department of Public Works for Fiscal Year 2006-2007.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The sources of funding outlined below are herein appropriated to reflect the funding available for Fiscal Year 2006-07.

SOURCES Appropriation

Fund	Index Code	Subobject	Description	Amount
1G AGF AAA - GF-	995031	76111	Gain/Loss-Sale of	\$850,000
Non-Project-			Land (Assessor's	
Controlled			Block 6954, Lot 11C	
			Alemany Boulevard)	
Total SOURCES Appropriation				\$850,000

DOCUMENTS DEPT.

APR 17 2007

SAN FRANCISCO
PUBLIC LIBRARY

Supervisor Sandoval, Peskin, Daly, Duffy, Markarini
Board of Supervisors

Section 2. The of uses funding outlined below are herein appropriated in Subobject 06P00,
Programmatic Projects Budget06700, Buildings, Structures and Improvements, and reflect the
projected uses of funding to support homeless and low-income housing Geneva Avenue Car
Barn repairs and Alemany Boulevard greening projects in the
Department of Recreation and Park and the Department of Public Works Mayor's Office of
Housing for Fiscal Year 2006-2007.

USES Appropriation

Fund	Index Code / Project Code	Subobject	Description	Amount
1G AGF ACP –	MYRPMOREC36	06P00 Programmatic	Homeless and Low-Income	\$850,000
GF-Continuing	7656	Projects	Housing Project Geneva	\$50,000
Project		Budget06700	Avenue Car Barn Repairs	
	Project:	Buildings, Structures		
	PMOLIHCRPGE	and Improvements		
	B04			
3C SIF LOC –	PWF093CIFLOC	06700 Buildings,	Alemany Pedestrian	\$300,000
Street		Structures and	Improvements Project	
Improvement	Project: CUFTRN	Improvements		
Fund-Local	AL6810			
Total USES Appropriation				<u>\$850,000</u>

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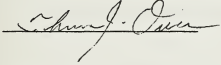
FUNDS AVAILABLE

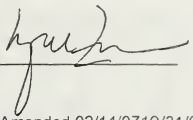
APPROVED AS TO FORM:

EDWARD M. HARRINGTON

DENNIS J. HERRERA, City Attorney

Controller

By: 

By: 

Deputy City Attorney

Date: Amended 02/14/07 40/31/06



City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 061534

Date Passed:

Ordinance appropriating \$850,000 from the Sale of Surplus Property for Homeless and Low-Income Housing in the Mayor's Office of Housing for Fiscal Year 2006-2007.

February 27, 2007 Board of Supervisors — CONTINUED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

March 6, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

March 13, 2007 Board of Supervisors — FINALLY PASSED

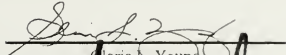
Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

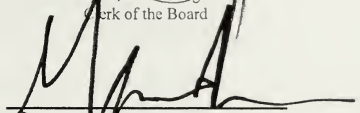
File No. 061534

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 13, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/23/07

Date Approved


Gloria B. Young
Clerk of the Board


Mayor Gavin Newsom

1 [Appointing Road Commissioner.]

2
3 Ordinance appointing Fred V. Abadi, Ph.D., Director of Public Works, Road
4 Commissioner for the City and County of San Francisco, and repealing Ordinance 18-
5 02.

6 Note: Additions are single-underline italics Times New Roman;
7 deletions are ~~strikethrough-italics Times New Roman~~.
8 Board amendment additions are double underlined.
9 Board amendment deletions are ~~strikethrough-normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. After a duly noticed public hearing and due deliberation, as required by
12 Section 2006 of the California Streets and Highways Code, and due to the resignation of
13 Edwin M. Lee, previous Director of the Department of Public Works, this Board of Supervisors
14 hereby finds that it is in the interest of economy and efficiency to appoint the current Director
15 of the Department of Public Works to serve as Road Commissioner, and hereby further finds
16 that the said Director is qualified and competent to handle the road and highway work of the
17 City and County of San Francisco.

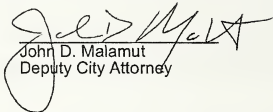
18 Section 2. The Board of Supervisors hereby appoints Fred V. Abadi, Ph.D., Director of
19 the Department of Public Works, to serve as Road Commissioner for the City and County of
20 San Francisco.

21 Section 3. Ordinance No. 18-02, a copy of which is on file with the Clerk of the Board
22 of Supervisors in File No. 070076, appointing Edwin M. Lee, previous Director of
23 Public Works, to serve as Road Commissioner for the City and County of San Francisco is
24 hereby repealed.
25

DOCUMENTS DEPT.

1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

3 By:

4 
5 John D. Malamut
6 Deputy City Attorney



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070076

Date Passed:

Ordinance appointing Fred V. Abadi, Ph.D., Director of Public Works, Road Commissioner for the City and County of San Francisco, and repealing Ordinance 18-02.

March 13, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval

Excused: 3 - Ammiano, Maxwell, McGoldrick

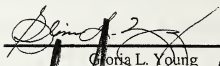
March 20, 2007 Board of Supervisors — FINALLY PASSED

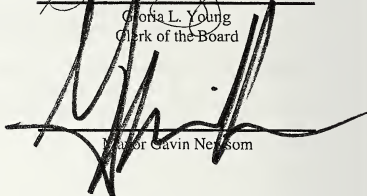
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070076

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on March 20, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/20/07
Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom

[Changing the official sidewalk width – Stockton Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1571 to change the official sidewalk widths on the westerly side of Stockton Street between Geary and Ellis Streets; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department in its letter dated August 1, 2002, which stated that this project is in conformity with the San Francisco General Plan and the priority policies of Planning Code Section 101.1. A copy of said letter is in the Clerk of the Board of Supervisors File No. 070224 and is incorporated herein by reference.

Section 2. In accordance with the Department of Public Works' Order No. 176,696, a copy of which is in the Clerk of the Board of Supervisors File No. 070224, Board of Supervisors Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," a copy of which is in the Clerk of the Board of Supervisors Book of General Ordinances, in effect May 11, 1910, is hereby amended by adding thereto a new section to read as follows:

Section 1571. The official sidewalk widths on the westerly side of Stockton Street shall be as shown on Department of Public Works drawings Q-20-616.

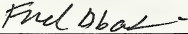
DOCUMENTS DEPT.

copies of which are in the Clerk of the Board of Supervisors File

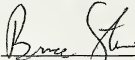
No. 070224

Section 3. The Department of Parking and Traffic, as is necessary as a result of this Ordinance, shall make arrangements with public utility companies and City Departments for the relocation, modification, or both of existing utility facilities in the affected sidewalk and street areas.

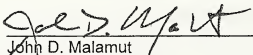
RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS


Fred V. Abadi, Phd.
Director of Public Works

DESCRIPTION APPROVED:
DEPARTMENT OF PUBLIC WORKS


Bruce R. Storfs
County Surveyor

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
John D. Malamut
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070224

Date Passed:

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1571 to change the official sidewalk widths on the westerly side of Stockton Street between Geary and Ellis Streets; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change.

March 13, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval

Excused: 3 - Ammiano, Maxwell, McGoldrick

March 20, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,

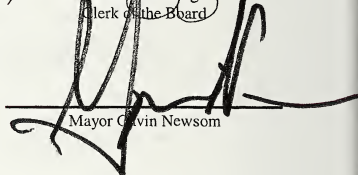
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070224

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on March 20, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/20/07
Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom

[Changing the official sidewalk width – Folsom Street]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1573 to change the official sidewalk width on the northerly side of Folsom Street easterly of 8th Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change.

Note: Additions are single-underline italics Times New Roman; deletions are ~~strikethrough italics Times New Roman~~. Board amendment additions are double underlined. Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department in its letter dated August 4, 2006, which stated that this project is in conformity with the San Francisco General Plan and the priority policies of Planning Code Section 101.1. A copy of said letter is in the Clerk of the Board of Supervisors File No. 070223 and is incorporated herein by reference.

Section 2. In accordance with the Department of Public Works' Order No. 176,702, a copy of which is in the Clerk of the Board of Supervisors File No. 070223, Board of Supervisors Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," a copy of which is in the Clerk of the Board of Supervisors Book of General Ordinances, in effect May 11, 1910, is hereby amended by adding thereto a new section to read as follows:

Section 1573. The official sidewalk width on the northerly side of Folsom Street shall be as shown on Department of Public Works drawing Q-20-615.

DOCUMENTS DEPT.

FILE NO.

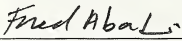
ORDINANCE NO.

copies of which are in the Clerk of the Board of Supervisors File

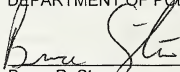
No. 070223.

Section 3. Hauser Architects, as is necessary as a result of this Ordinance, shall make arrangements with public utility companies and City Departments for the relocation, modification, or both of existing utility facilities in the affected sidewalk and street areas.

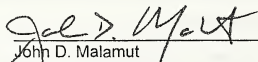
RECOMMENDED:
DEPARTMENT OF PUBLIC WORKS


Fred V. Abadi, Phd.
Director of Public Works

DESCRIPTION APPROVED:
DEPARTMENT OF PUBLIC WORKS


Bruce R. Storrs
County Surveyor

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
John D. Malamut
Deputy City Attorney



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070223

Date Passed:

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 1573 to change the official sidewalk width on the northerly side of Folsom Street easterly of 8th Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width change.

March 13, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

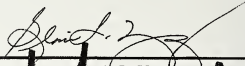
March 20, 2007 Board of Supervisors — FINALLY PASSED

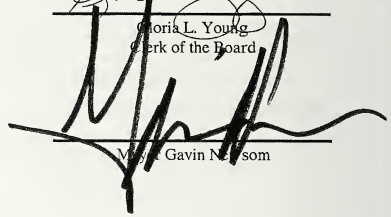
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070223

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 20, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/20/07
Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom

[2007 and 2008 condominium conversion lottery.]

Ordinance amending the Subdivision Code by authorizing conversion of three (3) additional units to account for all buildings selected as winners in the 2007 condominium conversion lottery and deleting three (3) units from the 2008 condominium conversion lottery so that the 2008 lottery consists of 197 total units; and making environmental findings.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~striketrough-italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough-normal~~.

Be it ordained by the People of the City and County of San Francisco:

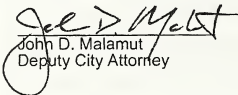
Section 1. (a) Environmental Findings. The Planning Department has determined that the actions contemplated in this Ordinance are in compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 070259 and is incorporated herein by reference.

(b) Additional Findings. As a result of a computer generated error, the Department of Public Works selected an additional building consisting of three (3) units in the 2007 condominium conversion lottery. These 3 units would exceed the annual condominium conversion limit of 200 units as set forth in Section 1396 of the Subdivision Code. This legislation would waive the 200-unit limit in order to allow the conversion of this single 3-unit building. This legislation will serve the public interest as it will compensate for this error and will not negatively affect the selection of any building in the 2007 condominium lottery, including the assignment of buildings to the stand-by list.

1 Section 2. This section is uncodified. Notwithstanding the annual 200-unit
2 condominium conversion limit set forth in Subdivision Code Section 1396, this Ordinance shall
3 authorize the conversion of one additional building consisting of three (3) units that was
4 accidentally selected in the 2007 condominium conversion lottery. This legislation also shall
5 delete three (3) units from the 2008 condominium conversion lottery so that no more than 197
6 units are selected for conversion that year. The three (3) units shall be removed from the Pool
7 B portion of the condominium lottery as set forth in Section 1396.1.

8
9 APPROVED AS TO FORM:
10 DENNIS J. HERRERA, City Attorney

11 By:

12 
13 John D. Malamut
14 Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 070259

Date Passed:

Ordinance amending the Subdivision Code by authorizing conversion of three (3) additional units to account for all buildings selected as winners in the 2007 condominium conversion lottery and deleting three (3) units from the 2008 condominium conversion lottery so that the 2008 lottery consists of 197 total units; and making environmental findings.

March 6, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 7 - Ammiano, Daly, Jew, Maxwell, McGoldrick, Peskin, Sandoval

Noes: 2 - Alioto-Pier, Elsbernd

Excused: 2 - Dufty, Mirkarimi

March 13, 2007 Board of Supervisors — CONTINUED

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval

Excused: 3 - Ammiano, Maxwell, McGoldrick

March 20, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 7 - Ammiano, Daly, Jew, Maxwell, McGoldrick, Peskin, Sandoval

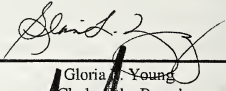
Noes: 2 - Alioto-Pier, Elsbernd

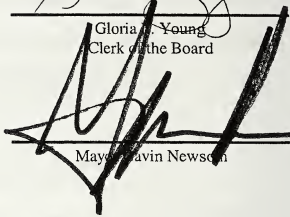
Excused: 2 - Dufty, Mirkarimi

File No. 070259

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on March 20, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/30/07
Date Approved


Gloria M. Young
Clerk of the Board


Mayor Gavin Newsom

[Public Employment and Accept-Expend State Grant – Sheriff's Department project to address the needs of mentally ill offenders in the jails.]

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the addition of a 2932 Senior Psychiatric Social Worker in the Department of Public Health and a 8444 Deputy Probation Officer in the Adult Probation Department, and authorizing the Sheriff's Department to accept and expend an 18-month grant in the amount of \$995,128 from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction (MIOCR) Grant Program, and waiving indirect costs.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough-italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough-normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and item of Ordinance No. 203-06 (Annual Salary Ordinance, FY 2006-2007) is hereby amended so that the same shall read as follows:

Department: DPH Department of Public Health
Program: DMM Mental Health Community Care
Subfund: 1G AGF WOF
Index Code: HMH-MIOCR-WO

<u>Amendment</u>	<u>#of Pos.</u>	<u>Class and Item No.</u>	<u>Compensation Schedule</u>
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<u>Add</u>	<u>0.4 FTE</u>	<u>2932 Senior Psychiatric Social Worker</u>	<u>\$2577B3132</u>
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DOCUMENTS DEPT.

Department: ADP Adult Probation
Program: AKB Community Services
Subfund: 2S PPF GNC
Index Code: 136031

<u>Amendment</u>	<u>#of Pos.</u>	<u>Class and Item No.</u>	<u>Compensation Schedule</u>
<i>Add</i>	<i>0.4 FTE</i>	<i>8444 Deputy Probation Officer</i>	<i>\$1933B3133</i>

Section 2. Authorization to Accept and Expend Grant Funds.

The Sheriff's Department is hereby authorized to accept and expend on behalf of the City and County of San Francisco \$995,128 in grant funds from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction Grant Program. The grant period is from January 01, 2007 to June 30, 2008. The Sheriff's Department is further authorized to furnish whatever additional information or assurances the funding agency may request in connection with this grant, and execute any and all agreements necessary to complete the transfer of funds. As set forth in Resolution File No. 061650, the Sheriff's Department proposes to maximize use of available grant funds on program expenditures by not including indirect costs, hereby waiving indirect costs.

1
2
3 APPROVED AS TO CLASSIFICATION
4 DEPARTMENT OF HUMAN RESOURCES

5 

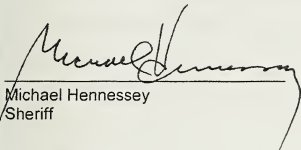
6 Ted Yamasaki, Acting Director
7 Department of Human Resources

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

8 

9 Deputy City Attorney

10 Recommended:

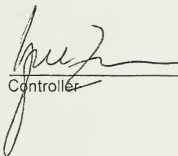
11 

12 Michael Hennessey
13 Sheriff

14 Approved:

15 

16 Mayor

17 

18 Controller



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070209

Date Passed:

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance 2006-2007) to reflect the addition of a 2932 Senior Psychiatric Social Worker in the Department of Public Health and a 8444 Deputy Probation Officer in the Adult Probation Department, and authorizing the Sheriff's Department to accept and expend an 18-month grant in the amount of \$995,128 from the Corrections Standards Authority for the Mentally Ill Offenders Crime Reduction (MIOCR) Grant Program, and waiving indirect costs.

March 13, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

March 20, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070209

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 20, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/30/07
Date Approved

Gloria L. Young
Clerk of the Board

Mayor Gavin Newsom

FILE NO. 070080

ORDINANCE NO.

68-07

[Prohibiting mobile catering trucks from operating near public schools.]

Ordinance amending the San Francisco Police Code to prohibit operators of mobile catering vehicles from selling within 1500 feet of a public middle school, junior high school, or high school.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~striketrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 17.2 of the San Francisco Police Code is hereby amended by adding Section 1320.2, to read as follows:

SEC. 1320.2 PROHIBITION AGAINST SELLING WITHIN 1500 FEET OF A PUBLIC SCHOOL.

No operator of a mobile catering vehicle shall offer for sale or give away any food or drink for human consumption within 1500 feet of the property line of any public middle school, junior high school, or high school; between the hours of 7:00 a.m. and 5:00 p.m., unless the Chief of Police has approved such sales in accordance with Section 1320.17 of this Article, and the sales are made from a construction site, and the mobile catering vehicle is parked entirely on private property, and the operator does not sell or give away food or drink to minors.

Section 2. Within 30 days of the effective date of this ordinance, the Chief of Police shall do the following:

(1) Notify all persons who hold permits for the operation of mobile catering vehicles of the provisions of this ordinance.

DOCUMENTS DEPT.

APR 17 2007

Supervisor Elsbernd, *Mirka*
BOARD OF SUPERVISORS

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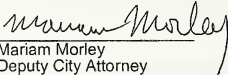
1 (2) Review the approved route and stops for all permit holders to determine whether
2 any of approved stops violate the terms of this ordinance.

3 (3) If a permit holder's approved route includes a stop that is within 1500 feet of the
4 property line of any public middle school, junior high school, or high school, notify the permit
5 holder that such stop is no longer approved.

6 (4) Submit a report to the Clerk of the Board of Supervisors stating whether any
7 existing, approved routes or stops violate the terms of this ordinance, and attach to that report
8 a copy of the notice provided to all permittees under subsection (1), above, and any notices
9 provided to permittees under subsection (3), above.

10 APPROVED AS TO FORM:
11 DENNIS J. HERRERA, City Attorney

12 By:

13 
14 Mariam Morley
15 Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070080

Date Passed:

Ordinance amending the San Francisco Police Code to prohibit operators of mobile catering vehicles from selling within 1500 feet of a public middle school, junior high school, or high school.

March 13, 2007 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

March 13, 2007 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

March 20, 2007 Board of Supervisors — FINALLY PASSED

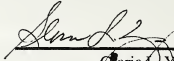
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070080

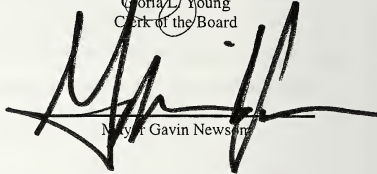
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 20, 2007
by the Board of Supervisors of the City and
County of San Francisco.

3/30/07

Date Approved



Gloria Young
Clerk of the Board



Mayor Gavin Newsom

3/7/07

FILE NO. 070255

ORDINANCE NO.

69-07

[Health Care Security Ordinance Amendments.]

Ordinance amending the San Francisco Administrative Code by amending Sections 14.1 through 14.4 to: (1) authorize the Department of Public Health to establish and maintain reimbursement accounts from which employees covered by the San Francisco Health Care Security Ordinance ("HCSO") may seek reimbursement for health care expenses; (2) clarify remedies for violations of the HCSO; and (3) make other technical changes and findings.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. **Declaration of legislative findings and intent.** With the passage of Ordinance 218-06, the City and County of San Francisco ("City") enacted the San Francisco Health Care Security Ordinance ("HCSO"), the findings of which are incorporated herein by reference. The HCSO mandates the creation of a comprehensive health care reform program to address the current health care crisis in San Francisco. The HCSO seeks to ensure that all San Francisco residents, and all non-San Francisco residents who work in San Francisco, have access to affordable health care. The reforms required by the HCSO are further intended to alleviate the demands placed on San Francisco's emergency health care system by its 82,000 uninsured residents, as well as the uninsured non-San Francisco residents who work in San Francisco and utilize emergency health care services in San Francisco. Essential to the successful operation of this system is the HCSO's requirement that employers make minimum health care expenditures on behalf of employees covered by the Ordinance, whether the employers choose to satisfy the requirement by providing for health care benefits

Supervisor Ammiano, Dufty, Mirkarimi, McGoldrick
BOARD OF SUPERVISORS

DOCUMENTS DEPT

APR 17 2007

Page 1

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SAN FRANCISCO
PUBLIC LIBRARY

1 themselves in a manner of their choosing, or by making payments to the City and County of
2 San Francisco, so that the City may provide for the health care needs of the employees who
3 have not been provided benefits by their employers.

4 During the initial implementation phases of this program, the Department of Public
5 Health determined that it would be better equipped to administer a comprehensive health care
6 delivery system for uninsured San Francisco residents and uninsured nonresidents who work
7 in San Francisco if it were authorized to use employer expenditures directed to the City to
8 establish and maintain reimbursement accounts from which employees covered by the
9 Ordinance, including employees who are not San Francisco residents, could obtain
10 reimbursement for health care expenditures. The Department of Public Health has further
11 determined that compliance with the expenditure mandate would be made easier for
12 employers if they were permitted to make payments to the City and County of San Francisco
13 on behalf of their employees who live outside of San Francisco, rather than merely on behalf
14 of their employees who are San Francisco residents. The Board finds that these
15 amendments, by making compliance easier for employers, and by improving the ability of the
16 Department of Public Health to create and administer an effective, comprehensive health care
17 system, will further effectuate the purposes of the Health Care Security Ordinance.

18
19 Section 2. The San Francisco Administrative Code is hereby amended by amending
20 Sections 14.1 through 14.4, to read as follows:

21
22 **SEC. 14.1. SHORT TITLE; DEFINITIONS.**

23 (a) Short title. This Chapter shall be known and may be cited as the "San Francisco
24 Health Care Security Ordinance."

1 (b) Definitions. For purposes of this Chapter, the following terms shall have the
2 following meanings:

3 (1) "City" means the City and County of San Francisco.

4 (2) "Covered employee" means any person who works in the City where such
5 person qualifies as an employee entitled to payment of a minimum wage from an employer
6 under the Minimum Wage Ordinance as provided under Chapter 12R of the San Francisco
7 Administrative Code and has performed work for compensation for his or her employer for
8 ninety (90) days, provided, however, that:

9 (a) From the effective date of this Chapter through December 31, 2007, "at least
10 twelve (12) hours" shall be substituted for "at least two (2) hours" where such term appears in
11 Section 12R.3(a);

12 (b) From January 1, 2008 through December 31, 2008, "at least ten (10) hours"
13 shall be substituted for "at least two (2) hours" where such term appears in Section 12R.3(a);

14 (c) Beginning January 1, 2009, "at least eight (8) hours" shall be substituted for "at
15 least two (2) hours" where such term appears in Section 12R.3(a);

16 (d) The term "employee" shall not include persons who are managerial,
17 supervisory, or confidential employees, unless such employees earn annually under \$72,450
18 or in 2007 and for subsequent years, the figure as set by the administering agency;

19 (e) The term "employee" shall not include those persons who are eligible to receive
20 benefits under Medicare or TRICARE/CHAMPUS;

21 (f) The term "covered employees" shall not include those persons who are
22 "covered employees" as defined in Section 12Q.2.9 of the Health Care Accountability
23 Ordinance, Chapter 12Q of the San Francisco Administrative Code, if the employer meets the
24 requirements set forth in Section 12Q.3 for those employees; and
25

1 (g) The term "covered employees" shall not include those persons who are
2 employed by a nonprofit corporation for up to one year as trainees in a bona fide training
3 program consistent with Federal law, which training program enables the trainee to advance
4 into a permanent position, provided that the trainee does not replace, displace, or lower the
5 wage or benefits of any existing position or employee.

6 (h) Nor shall "covered employees" include those persons whose employers verify
7 that they are receiving health care services through another employer, either as an employee
8 or by virtue of being the spouse, domestic partner, or child of another person; provided that
9 the employer obtains from those persons a voluntary written waiver of the health care
10 expenditure requirements of this Chapter and that such waiver is revocable by those persons
11 at any time.

12 (3) "Covered employer" means any medium-sized or large business as defined
13 below engaging in business within the City that is required to obtain a valid San Francisco
14 business registration certificate from the San Francisco Tax Collector's office or, in the case of
15 a nonprofit corporation, an employer for which an average of fifty (50) or more persons per
16 week perform work for compensation during a quarter. Small businesses are not "covered
17 employers" and are exempt from the health care spending requirements under Section 14.3.

18 (4) "Employer" means an employing unit as defined in Section 135 of the California
19 Unemployment Insurance Code or any person defined in Section 18 of the California Labor
20 Code. "Employer" shall include all members of a "controlled group of corporations" as defined
21 in Section 1563(a) of the United States Internal Revenue Code, and the determination shall
22 be made without regard to Sections 1563(a)(4) and 1563(e)(3)(C) of the Internal Revenue
23 Code.

1 (5) "Health Access Program" means a San Francisco Department of Public Health
2 program to provide health care for uninsured San Francisco residents.

3 (6) "Health Access Program participant" means any uninsured San Francisco
4 resident, regardless of employment or immigration status or pre-existing condition, who is
5 enrolled by his or her employer or who enrolls as an individual in the Health Access Program
6 under the terms established by the Department of Public Health.

7 (7) "Health care expenditure" means any amount paid by a covered employer to its
8 covered employees or to a third party on behalf of its covered employees for the purpose of
9 providing health care services for covered employees or reimbursing the cost of such services
10 for its covered employees, including, but not limited to (a) contributions by such employer on
11 behalf of its covered employees to a health savings account as defined under section 223 of
12 the United States Internal Revenue Code or to any other account having substantially the
13 same purpose or effect without regard to whether such contributions qualify for a tax
14 deduction or are excludable from employee income; (b) reimbursement by such covered
15 employer to its covered employees for expenses incurred in the purchase of health care
16 services; (c) payments by a covered employer to a third party for the purpose of providing
17 health care services for covered employees; (d) costs incurred by a covered employer in the
18 direct delivery of health care services to its covered employees; and (e) payments by a
19 covered employer to the City to be used on behalf of covered employees. The City may use these
20 payments to: (i) fund membership in the Health Access Program for uninsured San Francisco
21 residents; and (ii) establish and maintain reimbursement accounts for covered employees, whether or
22 not those covered employees are San Francisco residents. to fund the Health Access Program for
23 uninsured San Francisco residents, including employees. Notwithstanding any other provision of
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1 this subsection, "health care expenditure" shall not include any payment made directly or
2 indirectly for workers' compensation or Medicare benefits.

3 (8) "Health care expenditure rate" means the amount of health care expenditure
4 that a covered employer shall be required to make for each hour paid for each of its covered
5 employees each quarter. The "health care expenditure rate" shall be computed as follows:

6 (a) From the effective date of this Chapter through June 30, 2007, \$1.60 per hour
7 for large businesses and \$1.06 per hour for medium-sized businesses;

8 (b) From July 1, 2007 through December 31, 2007, January 1, 2008 through
9 December 31, 2008, and January 1, 2009 through December 31, 2009, the rates for large and
10 medium-sized businesses shall increase five (5) percent over the expenditure rate calculated
11 for the preceding year;

12 (c) From January 1, 2010 and each year thereafter, the "health care expenditure
13 rate" shall be determined annually based on the "average contribution" for a full-time
14 employee to the City Health Service System pursuant to Section A8.423 of the San Francisco
15 Charter based on the annual ten county survey amount for the applicable fiscal year, with
16 such average contribution prorated on an hourly basis by dividing the monthly average
17 contribution by one hundred seventy-two (172) (the number of hours worked in a month by a
18 full-time employee). The "health care expenditure rate" shall be seventy-five percent (75%) of
19 the annual ten county survey amount for the applicable fiscal year for large businesses and
20 fifty percent (50%) for medium-sized businesses.

21 (9) "Health care services" means medical care, services, or goods that may qualify
22 as tax deductible medical care expenses under Section 213 of the Internal Revenue Code, or
23 medical care, services, or goods having substantially the same purpose or effect as such
24 deductible expenses.

1 (10) "Hour paid" or "hours paid" means a work hour or work hours for which a person
2 is paid wages or is entitled to be paid wages for work performed within the City, including paid
3 vacation hours and paid sick leave hours, but not exceeding 172 hours in a single month. For
4 salaried persons, "hours paid" shall be calculated based on a 40-hour work week for a full-
5 time employee.

6 (11) "Large business" means an employer for which an average of one hundred
7 (100) or more persons per week perform work for compensation during a quarter.

8 (12) "Medium-sized business" means an employer for which an average of between
9 twenty (20) and ninety-nine (99) persons per week perform work for compensation during a
10 quarter.

11 (13) "Person" means any natural person, corporation, sole proprietorship,
12 partnership, association, joint venture, limited liability company, or other legal entity.

13 (14) "Required health care expenditure" means the total health care expenditure that
14 a covered employer is required to make every quarter for all its covered employees.

15 (15) "Small business" means an employer for which an average of fewer than twenty
16 (20) persons per week perform work for compensation during a quarter.

17
18 **SEC. 14.2. SAN FRANCISCO HEALTH ACCESS PROGRAM AND REIMBURSEMENT**
19 **ACCOUNTS.**

20 (a) The San Francisco Department of Public Health shall administer the Health
21 Access Program. Under the Health Access Program, uninsured San Francisco residents may
22 obtain health care from a network consisting of San Francisco General Hospital and the
23 Department of Public Health's clinics, and other community non-profit and private providers
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1 that meet the program's quality and other criteria for participation. The Health Access
2 Program is not an insurance plan for Health Access Program participants.

3 (b) The Department of Public Health shall coordinate with a third party vendor to
4 administer program operations, including basic customer services, enrollment, tracking
5 service utilization, billing, and communication with the participants.

6 (c) The Health Access Program shall be open to uninsured San Francisco
7 residents, regardless of employment status. Eligibility criteria shall be established by the
8 Department of Public Health, but no person shall be excluded from the Health Access
9 Program based on a pre-existing condition. Participants ~~may be enrolled by their employers or~~
10 may enroll themselves as individuals, with the terms of enrollment to be determined pursuant
11 to Section 14.4(a).

12 (d) The Health Access Program may be funded from a variety of sources, including
13 payments from covered employers pursuant to Section 14.3, from individuals, and from the
14 City. Funding from the City shall prioritize services for low and moderate income persons, with
15 costs based on the Health Access Program participant's ability to pay.

16 (e) The Health Access Program shall use the "Medical Home" model in which a
17 primary care physician, nurse practitioner, or physician assistant develop and direct a plan of
18 care for each Health Access Program participant, coordinate referrals for testing and specialty
19 services, and monitor management of chronic conditions and diseases. Health Access
20 Program participants shall be assigned to a primary care physician, nurse practitioner, or
21 physician assistant.

22 (f) The Health Access Program shall provide medical services with an emphasis on
23 wellness, preventive care and innovative service delivery. The Program shall provide medical
24 services for the prevention, diagnosis, and treatment of medical conditions, excluding vision,
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1 dental, infertility, and cosmetic services. The Department of Public Health may further define
2 the services to be provided, except that such services must, at a minimum, include:
3 professional medical services by doctors, nurse practitioners, physician assistants, and other
4 licensed health care providers, including preventive, primary, diagnostic and specialty
5 services; inpatient and outpatient hospital services, including acute inpatient mental health
6 services; diagnostic and laboratory services, including therapeutic radiological services;
7 prescription drugs, excluding drugs for excluded services; home health care; and emergency
8 care provided in San Francisco by contracted providers, including emergency medical
9 transportation if needed.

10 (g) The Department of Public Health shall also be authorized to use payments made to the
11 City by employers to satisfy their expenditure requirements as set forth in Section 14.3 to establish and
12 maintain reimbursement accounts from which covered employees may obtain reimbursement of health
13 care expenditures. The Health Access Program shall offer the opportunity for employers to enroll their
14 employees and for individual enrollment by July 1, 2007.

15 (h) The City Controller shall ensure any required health care expenditures made by an
16 employer to the City are kept separate and apart from general funds and shall limit use of the
17 expenditures to the Health Access Program or to the establishment and maintenance of reimbursement
18 accounts from which covered employees may obtain reimbursement of health care expenditures. If any
19 covered employee fails to enroll in the Health Access Program or establish a reimbursement account
20 with the Department of Public Health within a reasonable time, as determined by the Department of
21 Public Health, the City may use the funds paid to the City and County of San Francisco on behalf of
22 that employee for the benefit of the health care programs created by this Ordinance, but the City may
23 not transfer these funds to the City's general fund.

1 **SEC. 14.3 REQUIRED HEALTH CARE EXPENDITURES.**

2 (a) Required Expenditures. Covered employers shall make required health care
3 expenditures to or on behalf of their covered employees each quarter. ~~The City Controller shall~~
4 ~~ensure any required health care expenditures made by an employer to the City are kept separate and~~
5 ~~apart from general funds and limit use of the expenditures to the Health Access Program.~~ The
6 required health care expenditure for a covered employer shall be calculated by multiplying the
7 total number of hours paid for ~~all~~ each of its covered employees during the quarter (including
8 only hours starting on the first day of the calendar month following ninety (90) calendar days
9 after a covered employee's date of hire) by the applicable health care expenditure rate. In
10 determining whether a covered employer has made its required health care expenditures,
11 payments to or on behalf of a covered employee shall not be considered if they exceed the
12 following amount: the number of hours paid for the covered employee during the quarter
13 multiplied by the applicable health care expenditure rate. The City's Office of Labor Standards
14 Enforcement (OLSE) shall enforce the health expenditure requirements under this Section.

15 (b) Additional Employer Responsibilities. A covered employer shall: (i) maintain
16 accurate records of health care expenditures, required health care expenditures, and proof of
17 such expenditures made each quarter each year, and allow OLSE reasonable access to such
18 records, provided, however, that covered employers shall not be required to maintain such
19 records in any particular form; and (ii) provide information to the OLSE, or the OLSE's
20 designee, on an annual basis containing such other information as OLSE shall require, but
21 OLSE may not require an employer to provide information in violation of State or federal
22 privacy laws. Where an employer does not maintain or retain adequate records documenting
23 the health expenditures made, or does not allow OLSE reasonable access to such records, it
24 shall be presumed that the employer did not make the required health expenditures for the

quarter for which records are lacking, absent clear and convincing evidence otherwise. The Office of Treasurer and Tax Collector shall have the authority to provide any and all nonfinancial information to OLSE necessary to fulfill the OLSE's responsibilities as the enforcing agency under this Ordinance. With regard to all such information provided by the Office of Treasurer and Tax Collector, OLSE shall be subject to the confidentiality provisions of Subsection (a) of Section 6.22-1 of the San Francisco Business and Tax Regulations Code.

SEC. 14.4 ADMINISTRATION AND ENFORCEMENT.

(a) The City shall develop and promulgate rules to govern the operation of this Chapter. The regulations shall include specific rules by the Department of Public Health on the operation of both the Health Access Program and the reimbursement accounts identified in Section 14.2(g), including but not limited to eligibility for enrollment in the Health Access Program and establishment of reimbursement accounts and rules by the OLSE for enforcement of the obligations of the employers under this Chapter. The rules shall also establish procedures for covered employers to maintain accurate records of health care expenditures and required health care expenditures and provide a report to the City without requiring any disclosures of information that would violate State or Federal privacy laws. The rules shall further establish procedures for providing employers notice that they may have violated this Chapter, a right to respond to the notice, a procedure for notification of the final determination of a violation, and an appeal procedure before a hearing officer appointed by the City Controller. The sole means of review of the hearing officer's decision shall be by filing in the San Francisco Superior Court a petition for a writ of mandate under Section 1094.5 of the California Code of Civil Procedure. No rules shall be adopted finally until after a public hearing.

1 (b) During implementation of this Chapter and on an ongoing basis thereafter, the
2 City shall maintain an education and advice program to assist employers with meeting the
3 requirements of this Chapter.

4 (c) Any employer that reduces the number of employees below the number that
5 would have resulted in the employer being considered a "covered employer," or below the
6 number that would have resulted in the employer being considered a medium-sized or large
7 business, shall demonstrate that such reduction was not done for the purpose of evading the
8 obligations of this Chapter or shall be in violation of the Chapter.

9 (d) It shall be unlawful for any employer or covered employer to deprive or threaten
10 to deprive any person of employment, take or threaten to take any reprisal or retaliatory action
11 against any person, or directly or indirectly intimidate, threaten, coerce, command or influence
12 or attempt to intimidate, threaten, coerce, command or influence any person because such
13 person has cooperated or otherwise participated in an action to enforce, inquire about, or
14 inform others about the requirements of this Chapter. Taking adverse action against a person
15 within ninety (90) days of the person's exercise of rights protected under this Chapter shall
16 raise a rebuttable presumption of having done so in retaliation for the exercise of such rights.

17 (e)(1) The City shall enforce the obligations of employers and covered employers
18 under this Chapter, and may impose administrative penalties upon employers and covered
19 employers who fail to make required health care expenditures on behalf of their employees. The
20 amount of the penalty shall be \$1,000 for each employee for each week that such expenditures are not
21 made, provided that the total amount of penalties shall not exceed the following: violate this Chapter,
22 including the requirements that businesses allow the City reasonable access to records of health
23 expenditures, as follows: the amount of up to one-and-one-half times the total expenditures that a
24 covered employer failed to make plus simple annual interest of up to ten (10) percent from the
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1 date payment should have been made, but in any event the total penalty for this violation shall
2 not exceed \$1,000 for each employee for each week that such expenditures are not made.

3 (2) For other violations of this Chapter by employers and covered employers, the
4 administrative penalties shall be as follows: For refusing to allow access to records, pursuant to
5 Section 14.3(b), \$25 as to each worker whose records are in issue for each day that the violation
6 occurs; for the failure to maintain or retain accurate and adequate records pursuant to Section 14.3(b)
7 and for the failure to make the annual report of information required by OLSE pursuant to Section
8 14.3(b), \$500; for violation of Section 14.4(d) (retaliation), \$100 as to each person who is the target of
9 the prohibited action for each day that the violation occurs; and for any other violation not specified in
10 this subsection (e)(2), \$25 per day for each day that the violation occurs.

11 (3) The City Attorney may bring a civil action to recover civil penalties for the violations set
12 forth in subsections (e)(1) and (e)(2) in the same amounts set forth in those subsections, and to recover
13 the City's enforcement costs, including attorneys' fees.

14 (4) Amounts recovered under this Section shall be deposited in the City's General Fund.

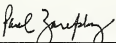
15 (f) The City Controller shall coordinate with the Department of Public Health and
16 OLSE to prepare periodic reports on the implementation of this Chapter including participant
17 rates, any effect on services provided by the Department of Public Health, the cost of
18 providing services to the Health Access Program participants and the economic impact of the
19 Chapter's provisions. Reports shall be provided to the Board of Supervisors on a quarterly
20 basis for quarters beginning July 1, 2007 through June 30, 2008, then every six months
21 through June 30, 2010. Reports shall include specific information on any significant event
22 affecting the implementation of this Chapter and also include recommendations for
23 improvement where needed, in which case the Board of Supervisors or a committee thereof

1 shall hold a hearing within thirty (30) days of receiving the report to consider responsive
2 action.

3 (g) The Director of Public Health shall convene an advisory Health Access Working
4 Group to provide the Department of Public Health and the Health Access Program with expert
5 consultation and direction, with input on members from the Mayor and the Board of
6 Supervisors. The Health Access Working Group shall be advisory in nature and may provide
7 the Health Access Program with input on matters including: setting membership rates;
8 designing the range of benefits and health care services for participants; and researching
9 utilization, actuaries, and costs.

10 (h) The Department of Public Health and the OLSE shall report to the Board of
11 Supervisors by July 1, 2007 ~~January 31, 2007~~, on the development of rules for the Health
12 Access Program and for the enforcement and administration of the employer obligations
13 under this Chapter. The Board of Supervisors or a committee thereof shall hold a hearing on the
14 proposed rules to ensure that participants in the Health Access Program shall have access to
15 high quality and culturally competent services.

16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By: 
19 PAUL ZAREFSKY
20 Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 070255

Date Passed:

Ordinance amending the San Francisco Administrative Code by amending Sections 14.1 through 14.4 to: (1) authorize the Department of Public Health to establish and maintain reimbursement accounts from which employees covered by the San Francisco Health Care Security Ordinance ("HCSO") may seek reimbursement for health care expenses; (2) clarify remedies for violations of the HCSO; and (3) make other technical changes and findings.

March 20, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

March 27, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

File No. 070255

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 27, 2007
by the Board of Supervisors of the City and
County of San Francisco.

4/2/07
Date Approved

Gloria L. Young
Clerk of the Board

Mayor Gavin Newsom

70-07

FILE NO. 061432

ORDINANCE NO.

[Clean Construction Ordinance.]

Ordinance amending the Administrative Code to add Section 6.25 to require City Contractors to adopt clean construction practices including biodiesel fuel and emissions controls within ~~one year eighteen months~~ two years; amending the Administrative Code to add Section 6.67 to allow City departments that are authorized to award public works contracts to compare bids on the basis of clean construction practices; and amending the Environment Code to add Section 411 to authorize the Department of the Environment to assist local businesses with off-road construction equipment in applying for funding to retrofit or replace such equipment and to require annual reporting, and making findings, including environmental findings.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~striketrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough normal~~.

Be it ordained by the People of the City and County of San Francisco:
Section 1. Findings.

(a) Air pollution is one of the major public health threats in San Francisco and contributes to asthma and other respiratory diseases.

(b) Diesel engine emissions from off-road heavy-duty vehicles include fine particulate matter that can be breathed deeply into the lungs and enter into a person's blood system. The State Air Resources Board classifies diesel particulate emissions as a toxic air contaminant and estimates that these emissions account for 70 percent of the cancer risks associated with airborne toxins.

DOCUMENTS DEPT.

APR 17 2007

1 (c) The City and County of San Francisco has an interest in the protection of public
2 health and the reduction of exposure to diesel emissions generated at publicly funded
3 construction sites.

4 (d) The City and County of San Francisco can reduce the exposure to diesel
5 emissions from off-road diesel equipment by requiring City contractors undertaking public
6 works projects near schools, hospitals, residential care facilities and similar sensitive areas to
7 utilize off-road diesel equipment with lower emissions.

8 (e) The City and County of San Francisco can further reduce the exposure to diesel
9 emissions from off-road diesel equipment by creating a bidding incentive for City Contractors
10 to utilize the cleanest possible off-road diesel equipment on public works contracts.

11 (f) The City and County of San Francisco can reduce the exposure to diesel
12 emissions from off-road diesel vehicle fleets by seeking funding to retro-fit City owned
13 equipment and other off-road diesel equipment operated in the City from existing incentive
14 programs such as the Carl Moyer Air Quality Standards Attainment Program.

15 (g) Biodiesel is an available energy source that can be substituted in many diesel
16 engines for conventional diesel fuel. Biodiesel can reduce petroleum consumption, and
17 significantly reduce emissions of particulate matter, carbon monoxide, hydrocarbons, carbon
18 dioxide ("greenhouse gas") and toxic air pollutants.

19 (h) The California Air Resources Board is expected to adopt a regulation in 2007
20 requiring construction equipment owners to begin cleaning up their fleets starting in 2009.

21 (i) A study of construction sites by the Northeast States for Coordinated Air Use
22 Management found that workers and nearby residents were exposed to levels of fine
23 particulate matter up to 16 times higher than average.
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1 (j) According to the Air Resources Board emission inventory, construction
2 equipment is the largest source of diesel soot in the San Francisco Bay Area, accounting for
3 40 percent of diesel particulate emissions.

4 (k) San Francisco Bay Area is second only to Los Angeles in the health impacts
5 from diesel pollution. Over 500 premature deaths, 400 hospital admissions and more than
6 300 emergency room visits for asthma were attributable to diesel pollution in 2005 according
7 to the Union of Concerned Scientists.

8 (l) A recent analysis of air toxics by the Bay Area Air Quality Management District
9 found that 80% of the air toxic cancer risk is from diesel particulate pollution. Eastern San
10 Francisco ranked among the highest areas for diesel emissions in the entire bay area.

11 (m) Under this Ordinance, the City and County of San Francisco wishes to exercise
12 its power to make economic decisions involving its own funds as a participant in the
13 marketplace and to conduct its own business as a municipal corporation to ensure that
14 purchases and expenditures of public monies are made in a manner consistent with clean
15 construction practices.

16 (n) Nothing in this Ordinance shall be interpreted or applied so as to create any
17 power or duty in conflict with any federal or state law.

18 Section 2. The San Francisco Administrative Code is hereby amended by adding
19 Section 6.25 to read as follows:

20 **SEC. 6.25. CLEAN CONSTRUCTION.**

21 **(a) Definitions:**

22 **(1) "Biodiesel" means a fuel comprised of mono-alkyl esters of long chain fatty acids**
23 **derived from vegetable oils or animal fats, designated B100 or "neat biodiesel", and meeting the**
24 **requirements of ASTM D 6751. B20 is a mixture of 20% biodiesel and 80% petroleum.**

1 (2) "City" means the City and County of San Francisco.

2 (3) "Clean Construction" means performing all work required to be performed under a
3 public works contract (1) utilizing only off-road equipment and off-road engines fueled by biodiesel
4 fuel grade B20 or higher and (2) utilizing only high use equipment that either (a) meets or exceed Tier
5 2 standards for off-road engines or (b) operates with the most effective verified diesel emission control
6 strategy.

7 (4) "Director" means the Director of the Department of the Environment, or his or her
8 designee.

9 (5) "High Use Vehicles" means off-road vehicles or off-road engines used an aggregate of
10 20 or more hours during any portion of the project.

11 (6) "Major construction project" means a public work to be performed within the
12 geographic limits of the City that is estimated to require twenty (20) or more cumulative days of work
13 to complete.

14 (7) "Most effective verified diesel emission control strategy" means a device, system or
15 strategy that is verified pursuant to Division 3 Chapter 14 of Title 13 of the California Code of
16 Regulations to achieve the highest level of pollution control from an off-road vehicle.

17 (8) "Off-road engine" means a diesel internal combustion engine (including the fuel system)
18 including without limitation, internal combustion engines used to power excavators, backhoes,
19 bulldozers or similar equipment used in any project subject to this Chapter. "Off-road engine" does
20 not include portable engines or stationary engines (engines that remain at one location for more than
21 12 months).

22 (9) "Off-road vehicle" means a vehicle that is propelled by an off-road engine of twenty-five
23 horsepower or greater, including, without limitation, excavators, backhoes, bulldozers and similar
24 equipment used in any project subject to this Chapter. "Off-road vehicle" does not include a
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horticultural maintenance vehicle used for landscaping purposes that is powered by an off-road engine of sixty-five horsepower or less and that is not used in any construction program or project. "Off-road vehicle" does not include portable equipment.

(10) Public work means a contract for the erection, construction, renovation, alteration, improvement, demolition, excavation, installation, or repair of any public building, structure, infrastructure, bridge, road, street, park, dam, tunnel, utility or similar public facility that is performed by or for the City, and the cost of which is to be paid wholly or partially out of moneys deposited in the City Treasury or out of trust monies under the control of or collected by the City.

(11) "Sensitive Site" means a hospital or other medical institution with facilities for inpatient care, a residential care facility providing lodging board and care for a period of 24 hours or more to seven or more persons, a child-care facility providing less than 24 hour care for 13 or more children, or an elementary or secondary school, either public or private, or residences.

(12) "Tier 2 Standards" are those standards for an off-road engine as described in Division 3 Chapter 9, Article 4, Section 2423(b)(1)(A) of Title 13 of the California Code of Regulations, as amended.

(b) Clean Construction on major construction projects.

(1) Requirement. Clean Construction shall be required on for all public works contracts for major construction projects as follows: (A) For all contracts solicited on or after a date one year eighteen months from the effective date of this Ordinance for major construction projects located within 500 feet of a sensitive site; and (B) For all contracts solicited on or after a date two years from the effective date of this Ordinance for major construction projects. For all such contracts, the department head or officer calling for bids shall specify in the Advertisement for Bids that Clean Construction is required for the performance of all work unless a waiver of all or part of the requirements of this Chapter has been granted under Section 6.25(b)(3).

1 (2) Contract Provisions and liquidated damages. Every contract for which Clean
2 Construction is required under Section 6.25(b)(1)(A) or Section 6.25(b)(1)(B) shall contain provisions,
3 in a form to be approved by the City Attorney: (A) requiring Clean Construction, (B) authorizing
4 waivers as set forth in Section 6.25(b)(3), and (C) specifying liquidated damages in the amount of \$100
5 per day per each piece of off-road equipment and each off-road engine utilized to complete work on the
6 project in violation of the Clean Construction requirements.

7 (3) Waivers. Waivers from the requirements of this Chapter are available under the
8 following circumstances:

9 (A) Emergency. A contract awarding department may grant itself a waiver from this
10 Chapter when the contract awarding authority certifies in writing to the Director, prior to the
11 Controller's contract certification, that the contract is being awarded under the emergency provisions
12 of Administrative Code Section 6.60 and that there is no immediately available contractor capable of
13 performing the work as Clean Construction. In such case, the contract awarding authority shall within
14 two business days notify the Director in writing of the emergency that prevented compliance with this
15 Chapter and describe steps being taken to safeguard public and City employee health during the
16 noncomplying work, and shall explain steps to reduce the likelihood that a similar emergency waiver
17 would be required in the future.

18 (B) Performance Standards. The Director may grant a waiver in whole or part from this
19 Chapter prior to the solicitation of bids upon a showing by the contract awarding authority that there
20 are no complying off-road vehicles or off-road engines for some or all of the required work, provided
21 that the contract awarding authority provides a written memorandum explaining the need for the
22 waiver and the steps that will be taken to safeguard public and City employee health during the
23 noncomplying work.

1 (C) Cost prohibitive. The Director may grant a waiver in whole or part from this Chapter
2 prior to the solicitation of bids upon a showing by the contract awarding authority that compliance
3 would be cost prohibitive under the circumstances, provided that the contract awarding authority
4 provides a written memorandum explaining the need for the waiver and the steps that will be taken to
5 safeguard public and City employee health during the noncomplying work.

6 (D) Other. The Director may grant a waiver in whole or part from this Chapter prior to the
7 solicitation of bids or may waive the biodiesel and/or emissions standards for Clean Construction in
8 advance of any violation of the Clean Construction requirements as to specific off-road equipment or
9 off-road engines essential to complete the work provided that the contract awarding authority provides
10 a written memorandum demonstrating a reasonable basis for the waiver including a reasonable plan to
11 minimize the use of noncomplying equipment or engines, and the steps that will be taken to safeguard
12 public and City employee health during the noncomplying work, and further provided that such post-
13 award waivers for specific equipment may not exceed 25% of the total operating hours of all off-road
14 vehicles or off-road engines used on the project.

15 (E) Rules and Regulations. After a public hearing, the Director, in consultation with the
16 contract awarding authorities, may promulgate rules, regulations or guidelines as necessary or
17 appropriate to carry out the purposes and requirements of this Chapter and may adopt forms necessary
18 to implement this Chapter.

19 (F) Publication of Waivers Granted. The Department of the Environment and the contract
20 awarding authorities shall maintain and post a list of all waivers granted on their Departmental
21 Websites in a manner that can easily be accessed by the public.

22 (4) Clean Construction Projects encouraged for other City Contracts. In recognition of the
23 health and other environmental benefits of Clean Construction, contract-awarding authorities are

1 encouraged to require contractors to meet the standards for Clean Construction, as appropriate, in
2 contracts not otherwise covered by this Chapter.

3 (5) Penalty.

4 (A) Whenever any City department finds, after an investigation by the contract awarding
5 authority and the City Attorney, that a person or entity being considered for a contract, or under
6 contract, with the City has, in connection with the bidding, execution or performance of any City
7 contract, falsely represented to the City the nature or character of the off-road vehicles and/or off-road
8 engines to be utilized, or utilized, on the contract, the City department shall have the authority to
9 impose such sanctions or take such other actions as are designed to ensure compliance with the
10 provisions of this Chapter.

11 (B) Measures which are available to the City to enforce this Chapter upon finding a
12 violation pursuant to Section 6.25 (b)(5)(A) include, but are not limited to the following:

13 (i) Refusal to certify the award of a contract;

14 (ii) Suspension of a contract;

15 (iii) Ordering the withholding of City funds due the contractor under any City
16 contract;

17 (iv) Ordering the recession of a contract based upon a material breach of contract
18 provisions or pertaining to representations made in bidding, execution or performance of the contract;

19 (v) Debarment of a bidder, proposer or contractor from eligibility for providing
20 commodities or services to the City for a period not to exceed five years, with a right to review and
21 reconsideration by the City upon a showing of corrective action indicating violations are not likely to
22 reoccur.

23 (C) Nothing in this Chapter shall be construed to relieve a contractor of responsibility to
24 perform the contract.

1 Section 3. The San Francisco Administrative Code is hereby amended by adding
2 Section 6.67 to read as follows:

3 **SEC. 6.67. COMPARISON OF BIDS ON BASIS OF CLEAN CONSTRUCTION.**

4 *To minimize the adverse impact to the surrounding environment, department heads authorized*
5 *to execute contracts for public works are authorized to compare bids on the basis that the work will be*
6 *performed utilizing off-road equipment and off-road engines that meet or exceed the standards for*
7 *Clean Construction set forth in Section 6.25 ("Clean Construction Comparative Bidding").*
8 *Department heads are particularly encouraged to utilize Clean Construction Comparative Bidding*
9 *wherever the project is located within 500 feet of a Sensitive Site and the construction activity will*
10 *occur for more than 20 days. The department head or officer calling for bids shall specify in the*
11 *Advertisement for Bids the monetary value that the department will attribute to Clean Construction and*
12 *shall evaluate responsive bids accordingly. Any contract awarded in consideration, in whole or in*
13 *part, on the basis of Clean Construction Comparative Bidding shall include provisions (1) requiring*
14 *the contractor to certify that all work has been undertaken in compliance with the requirements for*
15 *Clean Construction set forth in Section 6.25, (2) providing procedures to request a waiver of the*
16 *biodiesel fuel and/or emissions standards as to specific, necessary equipment as set forth in Section*
17 *6.2(b)(3)(D), and (3) providing for liquidated damages in the amount of \$100 per day per vehicle*
18 *operated at the project site in violation of Clean Construction standards. Except as provided herein,*
19 *contracts awarded on the basis of Clean Construction Comparative Bidding shall be subject to all*
20 *provisions of Chapter 6 of the Administrative Code.*

21 Section 4. The San Francisco Environment Code is hereby amended by adding
22 Section 411 to read as follows:

23 **SEC. 411. CLEAN CONSTRUCTION ASSISTANCE AND REPORTING.**

24 *(a) Definitions:*
25

1 (1) "Most effective verified diesel emission control strategy" means a device, system or
2 strategy that is verified pursuant to Division 3 Chapter 14 of Title 13 of the California Code of
3 Regulations to achieve the highest level of pollution control from an off-road vehicle.

4 (2) "Off-road engine" means a diesel internal combustion engine (including the fuel system)
5 including without limitation, internal combustion engines used to power excavators, backhoes,
6 bulldozers or similar equipment used in any City construction projects. "Off-road engine" does not
7 include portable engines or stationary engines (engines that remain at one location for more than 12
8 months).

9 (3) "Off-road vehicle" means a vehicle that is propelled by an off-road engine of twenty-five
10 horsepower or greater, including, without limitation, excavators, backhoes, bulldozers and similar
11 equipment used in any project subject to this Chapter. "Off-road vehicle" does not include a
12 horticultural maintenance vehicle used for landscaping purposes that is powered by an off-road engine
13 of sixty-five horsepower or less and that is not used in any construction program or project. "Off-road
14 vehicle" does not include portable equipment.

15 (4) "Tier 2 standards" are those standards for an off-road engine as described in Division 3
16 Chapter 9, Article 4, Section 2423(b)(1)(A) of Title 13 of the California Code of Regulations, as
17 amended.

18 (b) Technical Assistance to Local Businesses. The Department of the Environment shall
19 provide technical assistance to businesses certified as Local Businesses Enterprises (LBEs) by the
20 Human Rights Commission and other local businesses in securing available local, state and federal
21 public incentive funding to retro-fit, repower or replace off-road vehicles or off-road engines operated
22 by such businesses within the City.

23 (c) Annual Reporting Requirement. The Department of the Environment annually shall
24 prepare and distribute to City departments with off-road vehicles or off-road engines summary
25

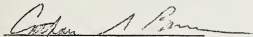
1 information, including application procedures and deadlines, about available local, state and federal
2 public incentive programs to retrofit, repower, or replace older, more polluting diesel equipment. The
3 Department of the Environment shall include in the Annual Report to the Mayor and the Board of
4 Supervisors, required in Section 406(j), the following: (1) information about the extent to which each
5 City Department's off-road vehicle and off-road engine fleet meets or exceeds either Tier 2 standards
6 for off-road engines or utilizes the most effective verified diesel emission control strategy, (2) a
7 summary of the results of grant applications made and awarded for the prior year to retro-fit, repower
8 or replace off-road vehicles and engines in the City's fleet, including fleet upgrades funded and
9 completed, (3) a summary of technical assistance provided to LBEs and other local businesses, and
10 results, if known, and (4) recommendations to the Board of Supervisors, Mayor, and City Departments
11 for procedural, policy, or legislative changes to reduce air pollution emanating from off road vehicles
12 and off-road engines.

13 Section 5. Environmental Findings.

14 The Planning Department has determined that the actions contemplated in this
15 Ordinance are in compliance with the California Environmental Quality Act (California Public
16 Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of the
17 Board of Supervisors in File No. 061432 and is incorporated herein by reference.

18 APPROVED AS TO FORM:
19 DENNIS J. HERRERA, City Attorney

20 By:

21 
22 CATHARINE S. BARNES
23 Deputy City Attorney
24
25



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 061432

Date Passed:

Ordinance amending the Administrative Code to add Section 6.25 to require City Contractors to adopt clean construction practices including biodiesel fuel and emissions controls within two years; amending the Administrative Code to add Section 6.67 to allow City departments that are authorized to award public works contracts to compare bids on the basis of clean construction practices; and amending the Environment Code to add Section 411 to authorize the Department of the Environment to assist local businesses with off-road construction equipment in applying for funding to retrofit or replace such equipment and to require annual reporting, and making findings, including environmental findings.

December 12, 2006 Board of Supervisors — SUBSTITUTED

March 13, 2007 Board of Supervisors — CONTINUED

Ayes: 8 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Mirkarimi, Peskin, Sandoval
Excused: 3 - Ammiano, Maxwell, McGoldrick

March 20, 2007 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE
BEARING NEW TITLE

Ayes: 6 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, Peskin
Noes: 4 - Daly, Jew, Mirkarimi, Sandoval
Absent: 1 - McGoldrick

March 20, 2007 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 7 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew
Absent: 1 - McGoldrick

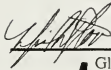
March 27, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Jew

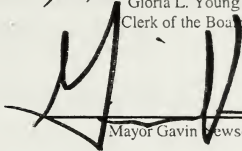
File No. 061432

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 27, 2007
by the Board of Supervisors of the City and
County of San Francisco.

4/2/07
Date Approved

 FOR

Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom

[De-Appropriating \$22,294,696 of parking tax revenue from the Municipal Transportation Agency and replacing it with a transfer from the General Fund for Fiscal Year 2006-2007.]

Ordinance de-appropriating \$22,294,696 of parking tax revenue from the Municipal Transportation Agency (MTA) and re-appropriating the revenue to the General Fund. Replace the revenue with a like transfer amount of \$22,294,696 from the General Fund in lieu of the parking tax allocation for Fiscal Year 2006-2007.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The sources of funding outlined below are herein appropriated to reflect the funding available for Fiscal Year 2006-2007.

SOURCES Appropriations

Fund	Index Code	Subobject	Description	Amount
5M AAA AAA -	350000	12410 Parking Tax	De-appropriation of	\$(22,294,696)
Muni-Operating-			Parking Tax	
Non-Project-			Revenue	
Controlled Fund				
1G AGF AAA - GF-	995031	12410 Parking Tax	Re-appropriation of	\$22,294,696
Non-Project			Parking Tax	
Controlled			Revenue	
Total SOURCES Appropriation				\$0

DOCUMENTS DEPT.

Section 2. The transfer appropriations outlined below are herein appropriated, and reflect the projected transfers of funding from the General Fund to the Municipal Transportation Agency for Fiscal Year 2006-2007.

TRANSFER Appropriations

Fund	Index Code	Subobject	Description	Amount
5M AAA AAA -	PTPTGENA301G	9301G OTI from	Operating Transfer into	\$22,294,696
Muni-Operating-		1G-General Fund	Muni Operating Fund from	
Non-Project-			the General Fund in lieu of	
Controlled Fund			parking tax allocation	
1G AGF AAA -	GEPTGENA935M	0935M OTO to	Transfer from the General	\$(22,294,696)
GF-Non-Project		5M-PTC-Muni	Fund to MTA in lieu of	
Controlled		Railway Funds	parking tax allocation	
Total USES Appropriation				\$0

Section 3. Create a new Administrative Code Provision of the Annual Appropriation Ordinance (AAO) titled Section 12.12 Parking Tax Allocation that is to read as follows: The Controller is authorized to increase or decrease the final budgetary allocation of parking tax in-lieu transfers to reflect actual collections. The Municipal Transportation Agency must obtain Board of Supervisors' approval prior to any expenditure supported by allocations that accrue to the Agency that are greater than those already appropriated in the AAO.

1 FUNDS AVAILABLE

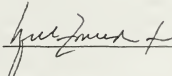
2
3 APPROVED AS TO FORM:

EDWARD M. HARRINGTON

4
5 DENNIS J. HERRERA, City Attorney

Controller

6
7 By: 

8 By: 

9 Deputy City Attorney

Date: 2/13/07



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070260

Date Passed:

Ordinance de-appropriating \$22,294,696 of parking tax revenue from the Municipal Transportation Agency (MTA) and re-appropriating the revenue to the General Fund. Replace the revenue with a like transfer amount of \$22,294,696 from the General Fund in lieu of the parking tax allocation for Fiscal Year 2006-2007.

March 20, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

March 27, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

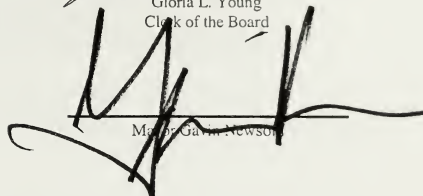
File No. 070260

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 27, 2007
by the Board of Supervisors of the City and
County of San Francisco.

4/2/07

Date Approved


Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom

[Health Care Security Ordinance Amendment.]

Ordinance amending Section 14.8 of the Administrative Code to extend to 2008 the operative date of the portion of the Health Care Security Ordinance requiring minimum employer health care expenditures.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough-italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough-normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 14.8, to read as follows:

SEC. 14.8. OPERATIVE DATE.

This Chapter shall become operative in three phases. The day this Chapter becomes effective, implementation of the Chapter shall commence. The Health Access Program ~~any requirements on employers for which an average of fifty (50) or more persons per week perform work for compensation during a quarter~~ shall become operative on July 1, 2007. Any requirements on employers for which an average of fifty (50) or more persons per week perform work for compensation during a quarter shall become operative on January 1, 2008. Any requirements on employers for which an average of from twenty (20) to forty-nine (49) persons per week perform work for compensation during a quarter shall become operative on April 1, 2008. ~~March 31, 2008.~~ This Chapter is intended to have prospective effect only.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By:

Paul Zarefsky
PAUL ZAREFSKY
Deputy City Attorney

DOCUMENTS DEPT.

APR 17 2007

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Supervisor Ammiano, Dufty, McGoldrick
BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070354

Date Passed:

Ordinance amending Section 14.8 of the Administrative Code to extend to 2008 the operative date of the portion of the Health Care Security Ordinance requiring minimum employer health care expenditures.

March 20, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin

Noes: 3 - Daly, Jew, Sandoval

March 27, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin

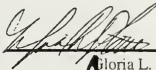
Noes: 3 - Daly, Jew, Sandoval

File No. 070354

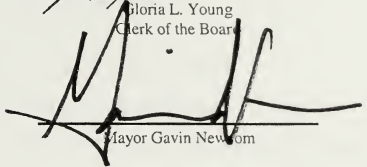
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on March 27, 2007
by the Board of Supervisors of the City and
County of San Francisco.

4/2/07

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom

FILE NO. 070210

ORDINANCE NO. 73-07

[Public Employment]

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 9 4 positions (2.25 0.68 FTEs) at Adult Probation (ADP).

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and item of Ordinance No. 203-06 (Annual Salary Ordinance, FY 2006-2007) is hereby amended so that the same shall read as follows:

Department: Adult Probation
Program: AKB Community Services
Subfund: 1G - AGF - AAA
Index Code: 135002

<u>Amendment</u>	<u># of Pos.</u>	<u>Class and Item No.</u>	<u>Compensation Schedule</u>
<u>Add</u>	<u>.25 FTE</u>	<u>0942 Manager VII</u>	<u>\$4810 B 6139</u>
<u>Add</u>	<u>.17 ~~.25~~ FTE</u>	<u>0952 Deputy Director II</u>	<u>\$3618 B 4617</u>
<u>Add</u>	<u>.25 FTE</u>	<u>1450 Executive Secretary I</u>	<u>\$1960 B 2383</u>
<u>Add</u>	<u>.25 FTE</u>	<u>1450 Executive Secretary I</u>	<u>\$1960 B 2383</u>
<u>Add</u>	<u>.25 FTE</u>	<u>1450 Executive Secretary I</u>	<u>\$1960 B 2383</u>

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APR 17 2007

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Supervisor Dufty, Maxwell, Mirkarimi

Page 1
Amended 03/14/07

1 Add .25 FTE 1823 Senior Administrative Analyst \$2868 B 3486

2 Add .17 ~~.25~~ FTE 1823 Senior Administrative Analyst \$2868 B 3486

3 Add .17 ~~.25~~ FTE 1023 IS Administrator III \$2997 B 3643

4 Add .17 ~~.25~~ FTE 1222 Senior Payroll and Personnel Clerk \$2009 B 2442

5
6
7 APPROVED AS TO CLASSIFICATION
8 DEPARTMENT OF HUMAN RESOURCES

APPROVED AS TO FORM
DENNIS HERRERA, City Attorney

9 SEE FILE FOR SIGNATURE

10 Ted Yamasaki, Acting Director
11 Department of Human Resources

By: SEE FILE FOR SIGNATURE

John Shanley
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070210

Date Passed:

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the addition of 4 positions (2.25 0.68 FTEs) at Adult Probation (ADP).

March 20, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin,
Sandoval

Noes: 3 - Alioto-Pier, Elsbernd, Jew

March 27, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi,
Peskin, Sandoval

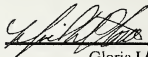
Noes: 2 - Elsbernd, Jew

File No. 070210

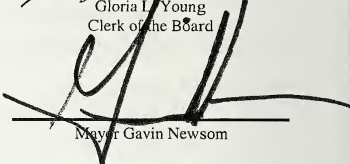
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on **March 27, 2007**
by the Board of Supervisors of the City and
County of San Francisco.

4/2/07

Date Approved



Gloria L. Young
Clerk of the Board


Mayor Gavin Newsom

1 Settlement of Lawsuit

2
3 Ordinance authorizing the settlement of a lawsuit filed by Hattie Finn-Carter against the
4 City and County of San Francisco, Public Utilities Commission, Kevin Lyons, Dan
5 Gilman, and Michael Saldanha for \$70,000.00 (seventy thousand dollars); the lawsuit
6 was filed on February 13, 2006, in United States District Court for the Northern District
7 of California, Case No. 06-1067, entitled Hattie Finn-Carter v. City and County of San
8 Francisco, Public Utilities Commission, Kevin Lyons, Dan Gilman, and Michael
9 Saldanha.

10
11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. The City Attorney is hereby authorized to settle the action entitled Hattie
13 Finn-Carter v. City and County of San Francisco, Public Utilities Commission, Kevin Lyons,
14 Dan Gilman, and Michael Saldanha", United States District Court for the Northern District of
15 California, Case No. 06-1067, by payment of \$70,000.00. The sum shall be allocated by
16 means of two checks made payable as follows: a) to "Hattie Finn-Carter" in the sum of
17 \$36,262.10 for general damages, and b) to the "Law Offices of Fania E. Davis" in the sum of
18 \$33,737.90 for attorney's fees incurred.

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24
25
CITY ATTORNEY
BOARD OF SUPERVISORS

GOVERNMENT
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JUL - 6 2011

SAN FRANCISCO
PUBLIC LIBRARY

Page 1
December 26, 2006

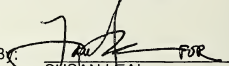
1 Section 3. The above-named action was filed in United States District Court for the
2 Northern District of California, Case No. 06-1067. The following parties were named in the
3 lawsuit: City and County of San Francisco, Public Utilities Commission, Kevin Lyons, Dan
4 Gilman, and Michael Saldanha, defendants.

5 APPROVED AS TO FORM:
6 DENNIS J. HERRERA, City Attorney

RECOMMENDED:
Public Utilities Commission

7 By: 
8

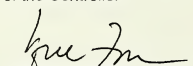
ELIZABETH S. SALVESON
Chief Labor Attorney

By: 
9

SUSAN LEAL
General Manager

10 FUNDS AVAILABLE:
Office of the Controller

Public Utilities Commission

11 By: 
12

EDWARD HARRINGTON
Controller

By: 
13

MICHAEL HOUSH
Commission Secretary

14 Index Code: 470101
15 Subobject: 05312
16
17
18
19
20
21
22
23
24
25



City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070295

Date Passed:

Ordinance authorizing the settlement of a lawsuit filed by Hattie Finn-Carter against the City and County of San Francisco, Public Utilities Commission, Kevin Lyons, Dan Gilman, and Michael Saldanha for \$70,000.00 (seventy thousand dollars); the lawsuit was filed on February 13, 2006, in United States District Court for the Northern District of California, Case No. 06-1067, entitled Hattie Finn-Carter v. City and County of San Francisco, Public Utilities Commission, Kevin Lyons, Dan Gilman, and Michael Saldanha.

March 27, 2007 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 10, 2007 Board of Supervisors — FINALLY PASSED

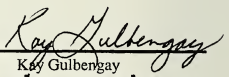
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070295

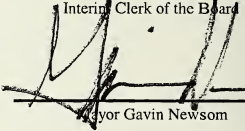
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 10, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

APR 19 2007

Date Approved


Kay Gulbengay

Interim Clerk of the Board


Mayor Gavin Newsom

FILE NO. 070297

ORDINANCE NO.

75-07

1 [Settlement of Lawsuit]

2

3 Ordinance authorizing revised settlement of litigation brought by the San Francisco

4 Bay Area Transit District against City and County of San Francisco in the eminent

5 domain action entitled San Francisco Bay Area Transit District v. City and County of

6 San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7,

7 2003), for the principal amount of \$2,367,570.

8 Be it ordained by the People of the City and County of San Francisco:

9 Section 1. The City Attorney is hereby authorized to settle with San Francisco Bay

10 Area Transit District ("BART") for the taking of the City's property in the eminent domain action

11 entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al.,

12 Alameda County Superior Court No. HG03-099024, by accepting payment to the City of

13 \$2,367,570.00, plus interest as agreed through March 11, 2005, such other material terms as

14 are set forth in a stipulation substantially in the form of the Stipulation for Entry of Judgment in

15 Condemnation and attachments thereto, contained in Board of Supervisors File No.

16 070297, and on such other terms as shall be negotiated and approved by the City

17 Attorney's Office.

18 Section 2. The plaintiff filed its eminent domain action entitled San Francisco Bay Area

19 Transit District v. City and County of San Francisco, et al. in Alameda County Superior Court

20 on July 7, 2003.

21 Section 3: The action was brought by BART seeking fee ownership of certain property

22 located in the County of Alameda, owned by the City and County of San Francisco ("CCSF")

23 under the jurisdiction of the San Francisco Public Utilities Commission ("SFPUC") and

24 occupied, in part, by SFPUC above-ground water transmission lines (the "Property").

25

1 Section 4: SFPUC and BART initially reached a settlement during the course of a
2 judicially supervised settlement conference by which BART agreed to make payment in the
3 amount of \$2,750,000, plus interest according to law, to CCSF for acquisition of the Property
4 for use in connection with a BART Project, subject to a reserved permanent easement in favor
5 of CCSF. The initial settlement was then submitted to the SFPUC and the Board of
6 Supervisors ("Board") for approval. The Board authorized the City Attorney's Office to
7 negotiate the settlement on the financial terms set forth above by its Ordinance No. 220-05.

8 Section 5: Following the Board's adoption of a settlement ordinance, the parties
9 discovered that a material disagreement existed as to the scope of the property rights to be
10 acquired by BART and reserved by CCSF under the settlement. BART subsequently filed a
11 motion with the Alameda County Superior Court to enforce the settlement on terms that
12 SFPUC and the City Attorney's Office believed would not protect the integrity of present or
13 potential future SFPUC water delivery facilities on the Property, and the Superior Court
14 granted that motion. The parties then subsequently agreed to negotiate a revised settlement.

15 Section 6: By the terms of the revised settlement, BART will take fee ownership of
16 ~~portions of the Property~~, for a payment in the principal amount of \$2,367,570.00, plus
17 negotiated interest, and CCSF will receive an easement that provides it with sufficient
18 property rights to maintain its existing facilities, and relocate its existing facilities underground,
19 as well as locate potential future facilities, at an alternate location on the Property. The terms
20 of the easement in favor of CCSF will be in substantially the form reflected in Exhibit A,
21 contained in the Board of Supervisors File No. 070297. Before BART takes fee
22 ownership of the Property and the easement is recorded, CCSF will require that ~~The City of~~
23 ~~Fremont, Union Pacific Railroad Company, Alameda County Water District, and the Alameda~~
24 ~~County Flood Control District, each of which currently operates or will operate facilities over~~
25 ~~the Property, will consent to the easement pursuant to certain consent and estoppel~~

1 certificates or certificates of consent, as applicable, substantially in the forms attached to the
2 stipulation; such consents and estoppel certificates shall be recorded contemporaneously with
3 the easement in favor of CCSF and such certificates of consent shall be executed on or prior
4 to such recordation date; and

5 Section 7: By the terms of the revised settlement, the parties shall bear their own costs
6 and attorneys fees associated with the litigation.

7 Section 8: The SFPUC has approved this revised settlement by Resolution No. 07-
8 0031 on February 14, 2007. A copy of that resolution is contained in Board of Supervisors
9 File No. 070297 and is incorporated herein by this reference.

10
11 APPROVED AS TO FORM:

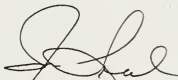
12 APPROVED: Public Utilities Commission

13 DENNIS J. HERRERA, City Attorney

14
15 By:



16 KRISTEN A. JENSEN
17 Deputy City Attorney



18 Susan Leal
19 General Manager



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 070297

Date Passed:

Ordinance authorizing revised settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for the principal amount of \$2,367,570.

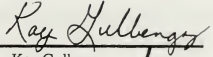
March 27, 2007 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 10, 2007 Board of Supervisors — FINALLY PASSED

File No. 070297

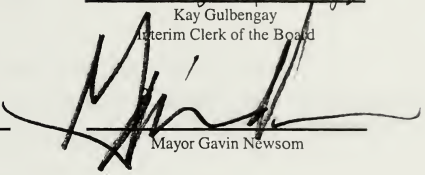
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 10, 2007 by
the Board of Supervisors of the City and
County of San Francisco.



Kay Gulbengay
Interim Clerk of the Board

APR 19 2007

Date Approved


Mayor Gavin Newsom

1 [Settlement of Lawsuit]
2

3 Ordinance authorizing settlement of the lawsuit filed by Harvey John Merk against the
4 City and County of San Francisco for \$135,000; the lawsuit was filed on August 5, 2005
5 in San Francisco Superior Court, Case No. 443-654; entitled Harvey John Merk, et al., v.
6 City and County of San Francisco, et al.
7

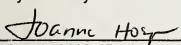
8 Be it ordained by the People of the City and County of San Francisco:

9 Section 1. The City Attorney is hereby authorized to settle the action entitled Harvey
10 John Merk, et al., v. City and County of San Francisco, et al., San Francisco Superior Court,
11 Court No. 443-654 by the payment of \$135,000.

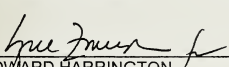
12 Section 2. The above-named action was filed in San Francisco Superior Court on
13 August 2, 2005, and the following parties were named in the lawsuit: Plaintiffs Harvey John
14 Merk and Shelley Abramson; Defendant City and County of San Francisco.

15 APPROVED AS TO FORM AND
16 RECOMMENDED:

17 DENNIS J. HERRERA
18 City Attorney

19 
20 JOANNE HOEPER
21 Chief Trial Deputy

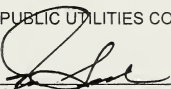
22 FUNDS AVAILABLE:

23 
24 EDWARD HARRINGTON
25 Controller

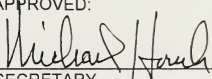
Index Code: 470101
Subobject: 05312

RECOMMENDED:

PUBLIC UTILITIES COMMISSION

26 
27 SUSAN LEAL
28 General Manager

APPROVED:

29 
30 SECRETARY
31 PUBLIC UTILITIES COMMISSION



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070109

Date Passed:

Ordinance authorizing settlement of the lawsuit filed by Harvey John Merk against the City and County of San Francisco for \$135,000; the lawsuit was filed on August 5, 2005 in San Francisco Superior Court, Case No. 443-654; entitled Harvey John Merk, et al., v. City and County of San Francisco, et al.

March 27, 2007 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 10, 2007 Board of Supervisors — FINALLY PASSED

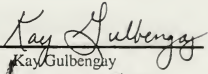
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070109

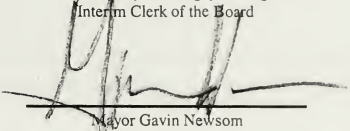
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 10, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

APR 19 2007

Date Approved



Kay Gulbengay
Interim Clerk of the Board



Mayor Gavin Newsom

1 [Settlement of Lawsuit]

2
3 Ordinance authorizing settlement of the lawsuit filed by Marnie Carter against the City
4 and County of San Francisco for \$100,000; the lawsuit was filed on March 30, 2005 in
5 San Francisco Superior Court, Case No. 439-948; entitled Marnie Carter, et al., v. City
6 and County of San Francisco, et al.

7 Be it ordained by the People of the City and County of San Francisco:

8 Section 1. The City Attorney is hereby authorized to settle the action entitled "Marnie
9 Carter, et al., v. City and County of San Francisco, et al.", San Francisco Superior Court, Court
10 No. 439-948 by the payment of \$100,000.

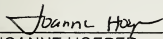
11 Section 2. The above-named action was filed in San Francisco Superior Court on
12 March 30, 2005, and the following parties were named in the lawsuit: Plaintiffs Marnie Carter
13 and Stephen Carter; Defendant City and County of San Francisco.

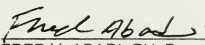
14 APPROVED AS TO FORM AND
15 RECOMMENDED:

RECOMMENDED:

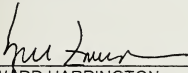
16 DENNIS J. HERRERA
17 City Attorney

DEPARTMENT OF PUBLIC WORKS

18 
19 JOANNE HOEPER
20 Chief Trial Deputy

21 
22 FRED V. ABADI, PH. D.
23 Director

24 FUNDS AVAILABLE:

25 
EDWARD HARRINGTON
Controller

Index Code: 975016
Subobject: 05312

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OFFICE OF THE CITY ATTORNEY
BOARD OF SUPERVISORS

MAY 15 2007

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PUBLIC LIBRARY



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070293

Date Passed:

Ordinance authorizing settlement of the lawsuit filed by Marnie Carter against the City and County of San Francisco for \$100,000; the lawsuit was filed on March 30, 2005 in San Francisco Superior Court, Case No. 439-948; entitled Marnie Carter, et al., v. City and County of San Francisco, et al.

March 27, 2007 Board of Supervisors — PASSED, ON FIRST READING

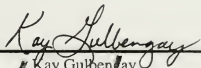
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 10, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070293

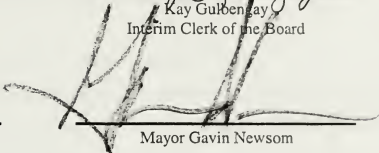
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 10, 2007 by
the Board of Supervisors of the City and
County of San Francisco.



Kay Gulbenkay
Interim Clerk of the Board

APR 19 2007

Date Approved



Mayor Gavin Newsom

Settlement of Lawsuit

Ordinance authorizing the settlement of a lawsuit filed by Adrienne Hogan against the City and County of San Francisco for \$50,000.00 (fifty thousand dollars); the lawsuit was filed on September 19, 2005, in San Francisco Superior Court, Case No. 444952, entitled Adrienne Hogan v. City and County of San Francisco et al..

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Adrienne Hogan v. City and County of San Francisco, et al.", San Francisco Superior Court, Case No. 444952, by payment of \$50,000.00. The sum shall be allocated as follows: a) \$50,000 for Adrienne Hogan for general damages including emotional distress and reimbursement of attorney's fees incurred.

Section 3. The above-named action was filed in San Francisco Superior Court on September 19, 2005, Case No. 444952. The following parties were named in the lawsuit: City and County of San Francisco, defendant.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

RECOMMENDED:
Public Utilities Commission

By:


ELIZABETH S. SALVESEN
Chief Labor Attorney

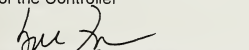
By:


Susan Leal
General Manager

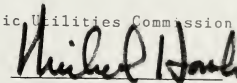
FUNDS AVAILABLE:
Office of the Controller

Public Utilities Commission

By:


EDWARD HARRINGTON
Controller

By:


MICHAEL HOUSH
Commission Secretary

Index Code: 470101
Subobject: 05312

CITY ATTORNEY
BOARD OF SUPERVISORS

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MAY 15 2007

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 070294

Date Passed:

Ordinance authorizing the settlement of a lawsuit filed by Adrienne Hogan against the City and County of San Francisco for \$50,000.00 (fifty thousand dollars); the lawsuit was filed on September 19, 2005, in San Francisco Superior Court, Case No. 444952, entitled Adrienne Hogan v. City and County of San Francisco et al.

March 27, 2007 Board of Supervisors — PASSED, ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 10, 2007 Board of Supervisors — FINALLY PASSED

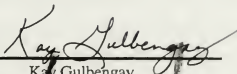
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070294

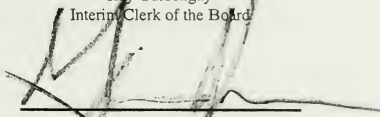
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 10, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

APR 19 2007

Date Approved



Kay Gulbengay
Interim Clerk of the Board



Mayor Gavin Newsom

[Assessment Appeals Boards: expanding Board Two jurisdiction.]

Ordinance amending Administrative Code Chapter 2B "Assessment Appeals Boards" by amending Section 2B.6 and Section 2B.13 to expand the jurisdiction of Board Two (1) from less than \$20,000,000 to less than \$50,000,000 maximum assessed roll value, and (2) to include jurisdiction over residential property of four units or less in the downtown and south of Market areas that are currently excluded from Board Two jurisdiction.

Note: Additions are single-underline italics Times New Roman font;
deletions are ~~striketrough italics Times New Roman font~~.
Board amendment additions are double underlined Arial font;
Board amendment deletions are ~~striketrough Arial font~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 2B.6, to read as follows:

Sec. 2B.6. BOARD COMPOSITION AND BOARD QUORUM.

(a) The Assessment Appeals Board shall hold joint meetings from time to time for the purpose of proposing rules and regulations to the Board of Supervisors to govern the operation of the Assessment Appeals Boards. Such joint meetings shall be held before the five regular members of Assessment Appeals Board No. 1 and the five regular members of Assessment Appeals Board No. 2. The attendance by three regular members of Assessment Appeals Board No. 1 and three regular members of Assessment Appeals Board No. 2 shall constitute a quorum for such meetings.

(b) Except as provided in Subsection (a), each Assessment Appeals Board shall act

DOCUMENTS DEPT.

1 separately and only as three-member panels designated by the Clerk in the manner described
2 in Subsection (d). The attendance by two members of any designated Assessment Appeals
3 Board three-member panel shall constitute a quorum for the transaction of business.

4 (c) Except as provided by Title 18 California Code of Regulations Rule 310, no act
5 of the joint Boards or a three-member panel of a Board shall be valid or binding unless
6 approved by a majority of all the members of the applicable body.

7 (d) Subject to California Revenue and Taxation Code Section 1622.5 and Title 18 of
8 the California Code of Regulations Rule 311, the Clerk shall designate three-member panels
9 to transact the business of the Assessment Appeals Boards, as set forth in Subsection (b),
10 using a rotating system designed to assure that all members with the same priority level, as
11 described in this subsection, have an equal opportunity over time to participate as panelists.

12 (1) This Subsection (d)(1) shall govern the panel selection for any application for
13 reduction that concerns:

14 (a) ~~Real~~ property located all or in a part within Assessor's Blocks 1 through 876,
15 inclusive, or Assessor's Blocks 3701 through 3899, inclusive, except not including residential
16 real property on the secured roll consisting of four units or less that is located all or in a part within
17 those Blocks;

18 (b) ~~a~~ possessory interest; or

19 (c) ~~Property~~ on the secured or unsecured roll assessed at ~~\$20,000,000~~ \$50,000,000
20 or more.

21 The Clerk shall assign any ~~such~~ application covered by Sections 2B.6(d)(1)(A) through (C)
22 to either Assessment Appeals Board No. 1 or Assessment Appeals Board No. 3. For cases
23 governed by this Subsection (d)(1) that are assigned to Assessment Appeals Board No. 1, the
24 Clerk shall designate three panelists from among the members in the following priority order:
25 (a) the regular members of Assessment Appeals Board No. 1 who meet the eligibility criteria

1 set forth in Section 1624.05 of the California Revenue and Taxation Code; (b) the regular
2 members of Assessment Appeals Board No. 1 who do not meet the eligibility criteria set forth
3 in Section 1624.05 of the California Revenue and Taxation Code; (c) the alternate members
4 of Assessment Appeals Board No. 1 (including the regular members of Assessment Appeals
5 Board No. 2) who meet the eligibility criteria set forth in Section 1624.05 of the California
6 Revenue and Taxation Code; (d) the alternate members of Board No. 1 (including the regular
7 members of Assessment Appeals Board No. 2) who do not meet the eligibility criteria set forth
8 in Section 1624.05 of the California Revenue and Taxation Code; and (e) the alternate
9 members of Assessment Appeals Board No. 2 who meet the eligibility criteria in Section
10 1624.05 of the California Revenue and Taxation Code. For cases governed by this
11 Subsection (d)(1) that are assigned to Assessment Appeals Board No. 3, the Clerk shall
12 assign three panelists from among the members in the following priority order: (a) the regular
13 members of Assessment Appeals Board No. 3 who meet the eligibility criteria set forth in
14 Section 1624.05 of the California Revenue and Taxation Code; (b) the regular members of
15 Assessment Appeals Board No. 3 who do not meet the eligibility criteria set forth in Section
16 1624.05 of the California Revenue and Taxation Code; (c) the alternate members of
17 Assessment Appeals Board No. 1 (including the regular members of Assessment Appeals
18 Board No. 2) who meet the eligibility criteria set forth in Section 1624.05 of the California
19 Revenue and Taxation Code; (d) the alternate members of Board No. 1 (including the regular
20 members of Assessment Appeals Board No. 2) who do not meet the eligibility criteria set forth
21 in Section 1624.05 of the California Revenue and Taxation Code; and (e) the alternate
22 members of Assessment Appeals Board No. 2 who meet the eligibility criteria set forth in
23 Section 1624.05 of the California Revenue and Taxation Code.

24 (2) For any matter to be heard by Assessment Appeals Board No. 1 that is not
25 governed by Subsection (d)(1), the Clerk shall designate three panelists from among the

1 members in the following priority order: (a) the regular members of Assessment Appeals
2 Board No. 1; (b) the alternate members of Assessment Appeals Board No. 1 (including the
3 regular members of Assessment Appeals Board No. 2); and (c) the alternate members of
4 Assessment Appeals Board No. 2.

5 (3) For any matter to be heard by Assessment Appeals Board No. 3 that is not
6 governed by Subsection (d)(1), the Clerk shall designate three panelists from among the
7 members in the following priority order: (a) the regular members of Assessment Appeals
8 Board No. 3; (b) the alternate members of Assessment Appeals Board No. 1 (including the
9 regular members of Assessment Appeals Board No. 2); and (c) the alternate members of
10 Assessment Appeals Board No. 2.

11 (4) For any application for reduction to be heard by Assessment Appeals Board No.
12 2, the Clerk shall designate three panelists from among the members in the following priority
13 order: (a) the regular members of Assessment Appeals Board No. 2; (b) the alternate
14 members of Assessment Appeals Board No. 2; (c) the alternate members of Assessment
15 Appeals Board No. 1; and (d) the regular members of Assessment Appeals Board No. 1.

16
17
18 Section 2. The San Francisco Administrative Code is hereby amended by amending
19 Section 2B.13, to read as follows:

20 SEC. 2B.13. DUTIES AND OPERATIONS.

21 (a) Assessment Appeals Board No. 1 and Assessment Appeals Board No. 3 shall
22 have jurisdiction to hear applications for reduction affecting any property on the secured or
23 unsecured rolls without limitation.

24 (b) Assessment Appeals Board No. 2 shall have jurisdiction to hear applications for
25 reduction only for property on the secured or unsecured rolls assessed at less than

1 ~~\$20,000,000~~ \$50,000,000, excluding applications involving possessory interests or real property
2 located all or in part within Assessor's Blocks 1 through 876, inclusive, or Assessor's Blocks
3 3701 through 3899, inclusive. Except that, Assessment Appeals Board No. 2 shall have jurisdiction
4 to hear applications for reduction for residential real property consisting of four units or less that is
5 assessed at less than \$50,000,000 and located all or in part within Assessor's Blocks 1 through 876,
6 inclusive, or Assessor's Blocks 3701 through 3899, inclusive.

7
8
9 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

10
11 By: 
12 MARIE CORLETT BLITS
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 061695

Date Passed:

Ordinance amending Administrative Code Chapter 2B "Assessment Appeals Boards" by amending Section 2B.6 and Section 2B.13 to expand the jurisdiction of Board Two (1) from less than \$20,000,000 to less than \$50,000,000 maximum assessed roll value, and (2) to include jurisdiction over residential property of four units or less in the downtown and south of Market areas that are currently excluded from Board Two jurisdiction.

March 27, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 10, 2007 Board of Supervisors — FINALLY PASSED

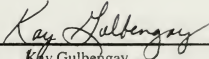
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 061695

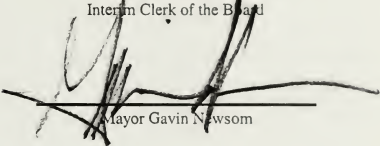
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 10, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

APR 19 2007

Date Approved



Kay Gulbengay
Interim Clerk of the Board



Mayor Gavin Newsom

80-07

FILE NO. 070122

ORDINANCE NO.

[Conflict of Interest Code Amendments.]

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.102.5, 3.1-105, 3.1-120, 3.1-145, 3.1-150, 3.1-155, 3.1-160, 3.1-175, 3.1-195, 3.1-205, 3.1-207, 3.1-218, 3.1-230, 3.1-242, 3.1-245, 3.1-252, 3.1-265, 3.1-267, 3.1-270, 3.1-275, 3.1-285, 3.1-312, 3.1-315, 3.1-320, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-420, 3.1-435, 3.1-440, 3.1-445, and 3.1-500; renumbering sections 3.1-252, 3.1-265, and 3.1-375 as sections 3.1-255, 3.1-362 and 3.1-252, respectively; deleting sections 3.1-109, 3.1-168, 3.1-170, 3.1-220, 3.1-222, 3.1-290, 3.1-400, 3.1-423, and 3.1-430; and adding sections 3.1-108, 3.1-193, 3.1-251, 3.1-253, and 3.1-457, all to update the list of designated employees who must file financial disclosure statements, to modify the applicable disclosure categories, and to clarify that consultants for each City agency must file financial disclosures in disclosure category 1 unless the agency's director has indicated otherwise.

Note: Additions are single-underline italics Times New Roman;
 deletions are ~~strikethrough italics Times New Roman~~.
 Board amendment additions are double underlined.
 Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Campaign and Governmental Conduct Code is hereby amended by amending Sections 3.102.5, 3.1-105, 3.1-120, 3.1-145, 3.1-150, 3.1-155, 3.1-160, 3.1-175, 3.1-195, 3.1-205, 3.1-207, 3.1-218, 3.1-230, 3.1-242, 3.1-245, 3.1-252, 3.1-265, 3.1-267, 3.1-270, 3.1-275, 3.1-285, 3.1-312, 3.1-315, 3.1-320, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-420, 3.1-435, 3.1-440, 3.1-445, and 3.1-500, to read as follows:

SEC. 3.1-102.5. FAILURE TO FILE.

Supervisor Elsbernd
 Clerk of the Board
BOARD OF SUPERVISORS

1 (a) Subject to the removal and Civil Service provisions of the Charter as well as any
2 applicable Civil Service Rules, any officer or employee of the City and County of San
3 Francisco who fails to file any statement required by Sections 3.1-101 and 3.1-102 of the
4 Campaign and Governmental Conduct Code within 30 days after receiving notice from the
5 Ethics Commission of a failure to file may be subject to disciplinary action by his or her
6 appointing authority, including removal from office or termination of employment.

7 (b) The Ethics Commission may issue a letter to an appointing authority
8 recommending removal of any City officer or termination of any City employee who has failed
9 to file a statement required by Sections 3.1-101 and 3.1-102 of the Campaign and
10 Governmental Conduct Code if the City officer or employee has not filed the required
11 statement within 30 days of receiving notice from the Ethics Commission of his or her failure
12 to file.

13 ~~(c) Every appointing authority whose appointees file statements required by Sections 3.1-101~~
14 ~~and 3.1-102 of the Campaign and Governmental Conduct Code with the Ethics Commission shall~~
15 ~~provide written notice to the Ethics Commission of the name of any appointee who has assumed or left~~
16 ~~office or employment. Such notice shall be provided within 15 days of the City officer or employee~~
17 ~~assuming or leaving office or employment. Failure to provide such notice may constitute official~~
18 ~~misconduct.~~

19 20 **SEC. 3.1-105. NOTICE OF APPOINTMENT AND RESIGNATION.**

21 (a) Every appointing authority whose appointees file statements required by Sections 3.1-101
22 and 3.1-102 of the Campaign and Governmental Conduct Code with the Ethics Commission shall
23 provide written notice to the Ethics Commission of the name of any appointee who has assumed or left
24 office or employment. Such notice shall be provided within 15 days of the City officer or employee

assuming or leaving office or employment. Failure to provide such notice may constitute official misconduct.

(b) Whenever the Mayor or a board or commission appoints a department head, or receives the resignation or retirement notice of a department head, the official or the secretary to the board or commission who makes the appointment or receives the resignation or retirement notice, ~~shall promptly inform the Ethics Commission. The official or secretary shall also~~ inform the department head of the necessity to file within 30 days ~~and~~ assuming office or leaving office a statement of economic interests. Upon receiving notice of the appointment, or the resignation or retirement, of the department head, the Ethics Commission shall perform the required duties of the filing officer and obtain the required statement of economic interests.

SEC. 3.1-120. AIRPORT COMMISSION.

(a) **Disclosure Category 2.** Persons in this category shall disclose all investments and business positions in business entities and income from any source which provides, or contracts with the City and County of San Francisco and its Airport_s Commission to provide, services, supplies, materials, machinery or equipment to the Airport_s Commission.

(b) **Disclosure Category 3.** Persons in this category shall disclose all investments and business positions in business entities, interests in real property, and income from any source subject to the regulatory, permit or licensing authority of the Airport_s Commission.

Designated Positions	Disclosure Categories
Airport Commissioners	1
Airport Director	1
Airport Deputy Directors	1
Assistant Deputy Directors	1

1	Assistant Director, Exhibitions	2, 3
2	Associate Deputy Directors	1
3	Audit Manager	2, 3
4	Building Inspector	2, 3
5	Chief Information Officer	1
6	Chief Operating Officer	1
7	Commission Secretary	1
8	Construction Inspector	2, 3
9	~~Consultant*~~	~~1~~
10	Coordinator, Operations	2, 3
11	Curator IV	2, 3
12	Curator V	2, 3
13	Director, Bureau of Community Affairs	1
14	Director, International Aviation Development	1
15	Director, S.F. Airport Museums/Chief Curator	1
16	Economic Planners	2, 3
17	Electrical Inspector	2, 3
18	Environmental Planner III	2, 3
19	Finance Director	1
20	IS Manager	1
21	IS Project Director	1
22	IS Business Analyst—Principal	2, 3
23	Librarian II	2, 3
24	Mail & Reprographics Supervisor	2, 3
25		

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1	Manager I	2, 3
2	Manager II (except Duty Managers)	2, 3
3	Manager III	2, 3
4	Manager IV	2, 3
5	Manager V	2, 3
6	Manager VI	1
7	Manager VII	1
8	Manager VIII	1
9	Manager, Customer Service	2, 3
10	Manager, Employment Community Partnership	2, 3
11	Manager, Health and Safety	2, 3
12	Manager, Scheduling and Control	2, 3
13	Mechanical Inspector	2, 3
14	Mechanical Maintenance Supervisor	2, 3
15	Parking Managers	2, 3
16	Planner III	2, 3
17	Planner IV	2, 3
18	Planner V	1
19	Plumbing Inspectors	2, 3
20	Principal Architects	2, 3
21	Principal Engineer	2, 3
22	Project Managers I	2, 3
23	Project Managers II	2, 3
24	Project Managers III	2, 3
25		

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1	Project Managers IV	1
2	Property Specialist I	2, 3
3	Property Specialist II	2, 3
4	Property Specialist III	2, 3
5	Senior Architects	2, 3
6	Senior Departmental Personnel Officers	2, 3
7	Senior Engineer	2, 3
8	Senior Museum Registrar	2, 3
9	Senior Traffic Engineer, Landside Operations	2, 3
10	Superintendent	2, 3
11	Supervising Fiscal Officers	2, 3

** With respect to consultants, the Airport Director may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and thus is not required to comply with the disclosure requirements described in this category. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Airport Director shall forward a copy of this determination to the Board of Supervisors. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.*

SEC. 3.1-145. ASSESSOR-RECORDER.

Designated Positions	Disclosure Categories
Assessor-Recorder	A#1
Deputy Director _____	1

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1 *Deputy Director I*
2 *Deputy Director II*
3 *Deputy Director III*
4 *Deputy Assessor-Recorder* _____ /
5 Chief Real Property _____ /
6 *Chief Personal Property* _____ /
7 Manager I _____ /
8 Manager II _____ /
9 *Manager III* _____ /
10 *Manager IV* _____ /
11 *Manager V* _____ /
12 *Manager VI* _____ /
13 Principal Real Property Appraiser _____ /
14 Senior Real Property Appraiser _____ /
15 Real Property Appraiser _____ /
16 Real Property Appraiser Trainee _____ /
17 Principal Property Auditor _____ /
18 Senior Personal Property Auditor _____ /
19 Personal Property Auditor _____ /
20 *Administrator III*
21 Civil Engineering Associate _____ /
22 *Principal Administrative Analyst*
23 *Senior Administrative Analyst*
24 *Senior Business Analyst*
25

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BOARD OF SUPERVISORS

1 *Management Assistant*

2 *Confidential Secretary to the Assessor-Recorder* 1

3 *Senior Assessment Clerks (Transactions, Exemptions and*
4 *Standards Units)* 1

5 *Assessment Clerks (Transactions, Exemptions and Standards Units)* 1

7 **SEC. 3.1-150. BOARD OF SUPERVISORS.**

8 (a) **Disclosure Category 2.** Persons in this category shall disclose all investments and
9 business positions held in business entities, and income from any business entity, engaged in
10 the development, manufacture, distribution, sale or lease of computer hardware or software.

11 (b) **Disclosure Category 3.** Persons in this category shall disclose all interests in real
12 property.

13 Designated Positions	Disclosure Categories
14 Member, Board of Supervisors	See Sec. 3.1-500
15 Clerk of the Board	1
16 Assistant Clerk of the Board	1
17 Deputy Clerk	1
18 Budget Analyst	1
19 Member, Assessment Appeals Board	1
20 Alternate Member, Assessment Appeals Board	1
21 Hearing Officer, Assessment Appeals	1
22 Assessment Appeals Administrator	3
23 Administrator, Sunshine Ordinance Task Force	1
24 Records and Information Manager	1

25
Clerk of the Board
BOARD OF SUPERVISORS

1	IS Administrator III	2
2	Senior Accountant	2
3	Legislative Assistant	1
4	Senior Legislative Analyst	1
5	Legislative Analyst	1
6	Records and Information Manager	1

7

8 **SEC. 3.1-155. BUILDING INSPECTION, DEPARTMENT OF.**

9 **Designated Positions** **Disclosure Categories**

10	Building Inspection Commission Member	<i>All-1</i>
11	Building Inspection Commission Secretary_____	<i>1</i>
12	Director of Building Inspection_____	<i>1</i>
13	Assistant Director_____	<i>1</i>
14	Deputy Director, Permit Services_____	<i>1</i>
15	Deputy Director, Inspection Services_____	<i>1</i>
16	<i>Communications Manager</i> _____	<i>1</i>
17	<i>Chief Administrative Officer</i> _____	<i>1</i>
18	Departmental Personnel Officer_____	<i>1</i>
19	Manager of Administration_____	<i>1</i>
20	Manager of Central Permit Bureau_____	<i>1</i>
21	Building Code Analyst_____	<i>1</i>
22	Principal Engineer_____	<i>1</i>
23	Senior Civil Engineer_____	<i>1</i>
24	Building Plans Engineer_____	<i>1</i>

25

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1	Mechanical Engineer_____	<i>1</i>
2	Senior Mechanical Engineer_____	<i>1</i>
3	Assistant Mechanical Engineer_____	<i>1</i>
4	Structural Engineer_____	<i>1</i>
5	Civil Engineer_____	<i>1</i>
6	Associate Civil Engineer_____	<i>1</i>
7	Assistant Civil Engineer_____	<i>1</i>
8	Chief Building Inspector_____	<i>1</i>
9	Senior Building Inspector_____	<i>1</i>
10	Building Inspector_____	<i>1</i>
11	Chief Electrical Inspector_____	<i>1</i>
12	Senior Electrical Inspector_____	<i>1</i>
13	Electrical Inspector_____	<i>1</i>
14	Chief Plumbing Inspector_____	<i>1</i>
15	Plumbing Inspector_____	<i>1</i>
16	Chief Housing Inspector_____	<i>1</i>
17	Senior Housing Inspector_____	<i>1</i>
18	Housing Inspector_____	<i>1</i>
19	Management Assistant (Permit Expediter)_____	<i>1</i>
20	Board of Examiners Member_____	<i>1</i>
21	Senior Plumbing Inspector_____	<i>1</i>
22	Chief Clerk_____	<i>1</i>
23	Permit Clerk II_____	<i>1</i>
24	Access Appeals Commission Member_____	<i>1</i>
25		

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Seismic Investigation and Hazard Survey Advisory

Committee Member _____ /

Unreinforced Masonry Buildings Appeals Board Member _____ /

One-Stop Permit Manager _____ /

One-Stop Permit Coordinator _____ /

One-Stop Permit Clerk _____ /

Manager of Customer Services _____ /

Manager of Customer Services _____ /

Secretary to the Director _____ /

Secretary to the Assistant Director _____ /

Principal Administrative Analyst _____ /

Manager of Management Informations Systems _____ /

Manager IV _____ /

IS Principal Business Analyst _____ /

IS Senior Business Analyst _____ /

IS Business Analyst _____ /

IS Assistant Business Analyst _____ /

IS Administrator II _____ /

IS Administrator III _____ /

IS Senior Engineer _____ /

SEC. 3.1-160. CHILDREN AND FAMILIES FIRST COMMISSION.

Designated Positions

Disclosure Categories

Member, Commission

~~##~~ 1

Clerk of the Board
BOARD OF SUPERVISORS

Executive Director _____ *1*

Deputy Director _____ *1*

SEC. 3.1-175. CITY ATTORNEY.

(a) **Disclosure Category 2.** Persons in this category shall disclose all interests in real property, and all income from and investments in business entities which hold interests in real property in the jurisdiction, and all business positions held in such business entities.

(b) **Disclosure Category 3.** Persons in this category shall disclose all sources of income, all investments, and all business positions in any business entity which does business in this jurisdiction.

(c) **Disclosure Category 4.** Persons in this category shall, for services, supplies, materials, machinery or equipment that they participate in purchasing, disclose all income from, investments in, and business positions held in business entities which provide such services, supplies, materials, machinery or equipment of the type used by the Office of the City Attorney.

Designated Positions	Disclosure Categories
City Attorney	See Sec. 3.1-500
Chief Assistant City Attorney	1
Chief Deputy City Attorney	1
Managing Attorney	1
Chief, Public Integrity	1
Chief, Litigation Division	1
<i>Chief, Civil Rights Litigation</i>	<i>1</i>
<i>Chief, Complex Litigation</i>	<i>1</i>

1	Chief, Special Litigation	1
2	<u>Chief, Tort Litigation</u>	1
3	Team Leader, Litigation	1
4	Attorneys, Litigation	4
5	Attorneys, Claims	1
6	Adjusters, Claims	1
7	Lead Attorney, Airport	1
8	Airport Attorney, Labor	3
9	Airport Attorney, Business	1
10	Airport Attorney, Land Use	2
11	Airport Attorney, Finance	1
12	Airport Attorney, Construction	1
13	Lead Attorneys, Code Enforcement	1
14	Attorneys, Code Enforcement	2, 4
15	Attorneys, Construction	1
16	Attorneys, Contracts	1
17	Attorneys, Energy & Telecommunications	1
18	Attorneys, Ethics and Elections	1
19	Attorneys, Real Estate & Finance	1
20	Lead Attorney, Government Law Division	1
21	Lead Attorney, Government Law Litigation	1
22	Lead Attorney, Government Law Advice	1
23	General Counsel, Mayor's Office	1
24	~~Special Assistant~~ <u>General Counsel</u> , Board of Supervisors	1
25		

1	Attorney, Arts Commission	3
2	Attorney, Asian Art Museum	3
3	Attorney, Assessment Appeals Board	1
4	Attorney, Board of Supervisors	1
5	Attorney, Business Tax Board of Review	3
6	Attorney, Children and Families First Commission	3
7	Attorney, Civil Service Commission	4
8	Attorney, Commission on the Status of Women	3
9	~~Attorney, Complex Legislation~~	~~1~~
10	~~Attorney, Courts~~	~~3~~
11	Attorney, Fine Arts Museum	3
12	Attorney, Golden Gate <u>Park</u> Concourse Authority	1
13	Attorneys, Government Law Litigation	1
14	Attorney, Human Rights Commission	3
15	Attorney, Library ~~Contracts~~	3
16	Attorney, Mayor's Office of Children, Youth and Families	3
17	~~Attorney, Parking Authority~~	~~1~~
18	Attorney, Real Estate Transfer Tax Review Board	1
19	Attorney, Recreation and Park Department	1
20	Attorney, Rent Board	1
21	Attorney, <u>Unified</u> School District	1
22	Attorney, Street Artists Program	3
23	Attorney, Tax Advice and Legislation	1
24	Attorney, Taxi Commission	3
25		

<u>Attorney, Transbay Joint Powers Authority</u>	<u>1</u>
Attorney, Transportation Authority	1
<u>Attorney, Treasure Island Development Authority</u>	<u>1</u>
Attorney, War Memorial Board	3
Attorneys, Health and Human Services	3
Chief Labor & Retirement Attorney	1
Attorneys, Labor & Retirement	4
Attorneys, Land Use & Environment	1
Attorneys, Port	1
Lead Attorney, Public Protection	1
Attorneys, Public Transportation	1
Attorneys, Public Utilities	1
Attorneys, Taxation	1
Attorneys, Workers Compensation	4
Chief, Claims and Investigation Division	3
Chief Financial Officer	4
City Attorney Librarian	4

SEC. 3.1-195. CONTROLLER.

Designated Positions	Disclosure Categories
Controller	~~##~~ 1
Chief Assistant Controller _____	<u>1</u>
Director, Accounting Operations and Systems Division _____	<u>1</u>
Director, Payroll and Personnel Systems Division _____	<u>1</u>

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BOARD OF SUPERVISORS

1 Director, City Services Audits Division _____ 1
 2 Director, Budget and Analysis Division _____ 1
 3 Finance and Administration Manager _____ 1
 4 Director, Accounting Operations and Grants Management _____ 1
 5 Director, Financial Systems and Reporting _____ 1
 6 Director, IT Business Services —COIT
 7 Executive Director —COIT
 8 Chief Economist
 9 Senior Economist

11 **SEC. 3.1-205. DISTRICT ATTORNEY.**

12 **Disclosure Category 2.** Persons in this category shall disclose all income from and
 13 investments in businesses that provide services or that manufacture or sell supplies of the
 14 type used by the Office of the District Attorney.

15 **Designated Positions**

Disclosure Categories

16 District Attorney	See Sec. 3.1-500
17 Chief Assistant District Attorney (Chief Attorney II)	1
18 Assistant Chief Attorney II	1
19 Assistant Chief Attorney I	1
20 <u>Manager of Legal Operations</u> _____	<u>1</u>
21 <u>Law Office Manager</u> _____	<u>1</u>
22 Chief Financial Officer	1
23 <u>Chief Investigator</u> _____	<u>1</u>
24 All Attorneys and Investigators	1

1 All Investigators 1

2 Coordinator of Victim Services 2

3 Witness Services Specialist 2

4
5 **SEC. 3.1-207. ECONOMIC AND WORKFORCE DEVELOPMENT, MAYOR'S OFFICE**

6 **DEPARTMENT OF.**

7 **Designated Positions** **Disclosure Categories**

8 Executive Director ##-1

9 Director, Base Re-use and Development 1

10 Director, Public Finance 1

11 Project Directors 1

12 Project Managers 1

13 Confidential Assistant to Department Head 1

14 Public Distribution Resource Manager 1

15 City Build Project Director 1

16 Contract Compliance Officer I 1

17 Contract Compliance Officer II 1

18 Employment Liason/Liaison 1

19 Employment Liason/Liaison/City Build Academy Coordinator 1

20
21 **SEC. 3.1-218. EMERGENCY MANAGEMENT, DEPARTMENT OF COMMUNICATIONS**

22 **DEPARTMENT.**

23 **Designated Positions** **Disclosure Categories**

24 Executive Director ##-1

25
Clerk of the Board
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1 Deputy Director *of Emergency Communications* 1
 2 *Deputy Director of Emergency Services* 1
 3 Client Services Manager 1
 4 Director of Finance and Administration 1
 5 Director of Human Resources 1
 6 *Administrative Manager Director of Operations* 1

8 **SEC. 3.1-230. ETHICS COMMISSION.**

9 **Designated Positions**

Disclosure Categories

10 Commission Member Att-1
 11 Executive Director 1
 12 Deputy Executive Director 1
 13 *Assistant Deputy Executive Director* 1
 14 *Chief Enforcement Officer* 1
 15 Investigator/Legal Analyst 1
 16 Assistant Investigator/Legal Analyst 1
 17 *Campaign Finance Officer*
 18 Campaign/Public Finance Auditor 1
 19 *Public Finance Administrator/Chief Auditor*
 20 *Consultant**

21 **Consultants shall be included in the list of designated employees and shall disclose pursuant to the*
 22 *broadest category in the code subject to the following limitation: The executive director may determine*
 23 *in writing that a particular consultant, although a "designated position," is hired to perform a range of*
 24 *duties that is limited in scope and thus is not required to comply fully with the disclosure requirements*

~~described in this section. Such a determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The executive director's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.~~

SEC. 3.1-242. FINANCE CORPORATION.

Designated Positions	Disclosure Categories
<u>Member, Board of Directors</u>	<u>1</u>
<u>President</u>	<u>1</u>
<u>Chief Financial Officer</u>	<u>1</u>
<u>Secretary</u>	<u>1</u>

SEC. 3.1-245. FINE ARTS MUSEUMS.

(a) **Disclosure Category 2.** Persons in this disclosure category shall disclose all investments and business positions in any business entity, and income from any source, involved in the buying or selling of works of art and which does business with The Fine Arts Museums of San Francisco, or has done business with the Museums within the two years prior to the date any disclosure statement must be filed, or which may foreseeably do business with the Museums in the future.

(b) **Disclosure Category 3.** Persons in this disclosure category shall disclose all investments and business positions in any business entity, and income from any source, engaged in the construction trade and which does business with The Fine Arts Museums of San Francisco, or has done business with the Museums within the two years prior to the date

1 any disclosure statement must be filed, or which may foreseeably do business with the
2 Museums in the future.

3 (c) **Disclosure Category 4.** Persons in this disclosure category shall disclose all
4 investments and business positions in any business entity, and income from any source,
5 involved in the sale and/or installation of signalling systems, including fire alarms, burglar
6 alarms and similar systems, which does business with The Fine Arts Museums of San
7 Francisco, or has done business with the Museums within the two years prior to the date any
8 disclosure statement must be filed, or which may foreseeably do business with the Museums
9 in the future.

10 (d) **Disclosure Category 5.** Persons in this category shall disclose all investments
11 and business positions in any business entity, and income from any source, which does
12 business with The Fine Arts Museums of San Francisco, or has done business with the
13 Museums within the two years prior to the date any disclosure statement must be filed, or
14 which may foreseeably do business with the Museums in the future.

15 (e) **Disclosure Category 6.** Persons in this disclosure category shall disclose all
16 investments and business positions in any business entity, and income from any source,
17 involved in the design and publication of printed material, or the reproduction of works of art,
18 which does business with The Fine Arts Museums of San Francisco, or has done business
19 with the Museums within the two years prior to the date any disclosure statement must be
20 filed, or which may foreseeably do business with the Museums in the future.

21 (f) **Disclosure Category 7.** Persons in this disclosure category shall disclose all
22 investments and business positions in any art gallery and business entity, and income from
23 any source, which manufacturers or sells art supplies, books, machinery or equipment, or
24 which provides services to the Museums.

Designated Positions	Disclosure Categories
Trustee	2, 3, 4
Director	5, 7
Deputy Director for Operations and Personnel	5, 7
~~Curator-In-Charge, European Art~~	~~2, 6~~
Curator-In-Charge, Achenbach Foundation for Graphic Arts	2, 6, 7
Curator, Graphic Arts	2, 6, 7
Buildings & Grounds Maintenance Superintendent	3, 4, 7

SEC. 3-1-253.1-255. GOLDEN GATE PARK CONCOURSE AUTHORITY.

Designated Positions	Disclosure Categories
Directors	~~All~~ 1
Chief Executive Officer _____	<u>1</u>

SEC. 3-1-2653.1-362. PUBLIC HEALTH, DEPARTMENT OF PUBLIC.

(a) **Disclosure Category 2.** Persons in this category shall disclose all investment and business positions in business entities and income from all laboratories, clinics, hospitals, rest homes, nursing homes, and outpatient care facilities, all medical, surgical, psychiatric, psychological, and related practices, all medical supply firms, drug companies, and insurance companies; all child or adult care facilities; all medical or social service consulting firms; and any source which provides, or contracts with the City and County of San Francisco and its Public Health Department to provide services, supplies, materials, machinery or equipment to the Public Health Department.

(b) **Disclosure Category 3.** Persons in this category shall disclose all investment and business positions in business entities, interests in real property, and income from any source subject to the regulatory, permit or licensing authority of the Department of Public Health.

Designated Positions	Disclosure Categories
Health Commissioner	1
Director of Health	1
Secretary, Health Commission	1
Administrator, Health Information Services	2
Administrator, LHH	1
Administrator, SFGH Medical Center	1
<u>Agricultural Commissioner</u>	<u>2</u>
Agricultural Inspector	2
Assistant Director, Bureau of Environmental Health Services	1
Assistant Director/Commissioner/Sealer	1
Assistant Director, MIS	2
Assistant General Services Manager	2
Assistant Industrial Hygienist	2
Assistant Materials Coordinator	2
Associate Administrator, Medical Services, LHH	1
Associate Director, AIDS	1
Building and Grounds Maintenance Superintendent	2
Chief, Bureau of Records and Statistics	2
Chief Compliance Officer	1
Chief of Medical Staff	1

1	Chief, Medical Social Services	2
2	Chief Nursing Officer	1
3	Children Medical Services Director	2
4	<u>Compliance Officer</u>	<u>2</u>
5	Contract Compliance Officer I	2
6	Department Personnel Officer	2
7	Deputy Director of Adult Services, CMHS	1
8	Deputy Director for Business and Operations	1
9	Deputy Director of Community Programs	1
10	<u>Deputy Director, Health Access Program</u>	<u>1</u>
11	Deputy Director of Institutions, DPH	1
12	Deputy Director for Mental Health Programs	1
13	Deputy Director, Public Health Programs	1
14	Director of Activities, Therapy and Volunteer Services	2
15	Director/Agricultural Commissioner/Sealer	1
16	~~Director, Bureau of Environmental Health Services~~	~~1~~
17	Director, Business and Operations Support, MHP	1
18	Director, Dental Division	1
19	Director of EEO and Cultural Competency Programs	2
20	<u>Director of Environmental Health</u>	<u>1</u>
21	Director of Food Services	2
22	~~Director of Homeless Programs~~	~~2~~
23	<u>Director, Long Term Care</u>	<u>1</u>
24	Director of Medical Records	2
25		

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1	Director of Patient Accounts	2
2	Director of Patient Financial Services and Admissions	2
3	Director of Pharmaceutical Services	2
4	Director, Public Health Laboratories	2
5	Director HIV Prevention	2
6	Director of Public Information	2
7	Director, Radiology	1
8	~~Director of Toxics and Safety Services~~	~~1~~
9	Director, WIC Program, DPH	1
10	DPH Contract Compliance Officer II	2
11	Environmental Health Inspector	3
12	Executive Assistant to the Director of Health	2
13	Finance Director, DPH	1
14	Financial Manager	1
15	Food Service Manager	2
16	General Services Manager	2
17	Hazardous Materials Permit Program Manager	2
18	Hospital Assistant Administrator	1
19	Hospital Associate Administrator	1
20	Hospital Reimbursement Officer	2
21	Industrial Hygienist	2
22	Manager, Office of Health and Safety	2
23	Materials Coordinator	2
24	Materials and Supplies Supervisor	2
25		

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1	Maternal, Child, Adolescent Director	2
2	Medical Director, DPH	1
3	Medical Social Worker Supervisor	2
4	MIS Director	1
5	MIS Manager	2
6	Nurse Manager	2
7	Nursing Supervisor	2
8	Nursing Supervisor, Psychiatry	2
9	Personnel Director	1
10	Principal Administrative Analyst (Contracts Office Only)	2
11	Principal Disease Control Investigator	2
12	Principal Environmental Health Inspector	3
13	Program Chief, CPHS	1
14	Rad. Tech. Supervisor	2
15	Rehabilitation Coordinator	2
16	Senior Administrative Analyst (Contracts Office Only)	2
17	Senior Associate Administrator	1
18	Senior Environmental Health Inspector	3
19	Senior Industrial Hygienist	2
20	Senior Personnel Officer	2
21	Senior Physician Specialist (Leadership Positions Only)	2
22	Supervising Fiscal Officer	2
23	Supervising Physician Specialist	2
24	Telecommunications Systems Director	2
25		

Clerk of the Board
BOARD OF SUPERVISORS

1 Weights and Measures Inspector

2

3 **SEC. 3.1-267. HEALTH SERVICE SYSTEM.**

4 Designated Positions	Disclosure Categories
5 Health Service Board Member	1
6 Director, Health Service System	1
7 <u>Assistant Director</u>	<u>1</u>
8 <u>Chief Financial Officer</u>	<u>1</u>

10 **SEC. 3.1-270. HOUSING AUTHORITY.**

11 **Disclosure Category 2.** Persons in this disclosure category shall disclose all
12 investments in, income from, and any business position in any business entity which leases,
13 rents or operates from property of the San Francisco Housing Authority, or which provides or
14 contracts with the Housing Authority to provide, services, supplies, materials, machinery or
15 equipment to the Authority, or which has done so within the two years prior to the filing of any
16 disclosure statement, or which may foreseeably do so in the future.

17 Designated Positions	Disclosure Categories
18 Commissioners	1
19 Executive Director	1
20 Accounting Manager	1
21 Administrator, Finance	1
22 Administrator, Housing Development & Modernization	1
23 <u>Administrator, MSSD-HR</u>	<u>1</u>
24 <u>Administrator, Management Services & Support</u>	<u>1</u>

1	<u>Administrator, Public Housing Operations</u>	<u>1</u>
2	Administrator, Section "8"	1
3	<u>Assistant Executive Director</u>	<u>1</u>
4	<u>Assistant General Counsel</u>	<u>1</u>
5	<u>Attorney I</u>	<u>1</u>
6	Attorney II	1
7	Budget Manager	2
8	<u>Buyer</u>	<u>2</u>
9	<u>Central Services Director</u>	<u>1</u>
10	<u>Central Services Manager</u>	<u>1</u>
11	<u>Certified Paralegal</u>	<u>2</u>
12	Construction Inspector	2
13	Construction Services Manager	2
14	Construction Services Manager	1
15	Deputy <u>Department</u> Administrator, Housing Development &	
16	Modernization <u>Department</u>	1
17	<u>Deputy Administrator, Office of Fair Housing</u>	<u>1</u>
18	Deputy Department Administrator	1
19	Deputy Executive Director	1
20	<u>Director of Central Services</u>	<u>2</u>
21	<u>Director of Computer Learning Centers</u>	<u>2</u>
22	<u>Director of Human Resources</u>	<u>2</u>
23	Director of <u>Management Information Systems</u> <u>MIS</u>	2
24	<u>Director of Occupational Health & Safety</u>	<u>2</u>
25		

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1	<u>Director of Public Housing Operations</u>	2
2	<u>Domestic Violence & Crisis Intervention Specialist</u>	2
3	<u>Examinations Supervisor</u>	1
4	General Counsel	1
5	Hope VI <u>Program</u> Manager	2
6	<u>HQS Inspector/Central Services</u>	2
7	<u>Housing Inspector I</u>	2
8	<u>Housing Inspector II</u>	2
9	Human Resources Manager	2
10	<u>Inspector I</u>	2
11	<u>Inspector II</u>	2
12	<u>Inspector Supervisor</u>	1
13	<u>Internal Auditor</u>	2
14	Labor/Employee Relations Manager	2
15	<u>Maintenance Inspector</u>	2
16	<u>Manager of Central Maintenance</u>	2
17	Materials Control Officer	1
18	Materials Manager	1
19	Planning and Programs <u>Director Development Manager</u>	2
20	<u>Program Management Advisor</u>	2
21	Program Manager I	2
22	Program Manager II	2
23	<u>Program Manager III</u>	2
24	Program <u>Specialist II Sepecialist</u>	2
25		

1	Project Manager	2
2	~~Public Housing & Operations Director~~	~~2~~
3	~~Safety Director~~	~~2~~
4	Senior Buyer	2
5	Senior Project Manager	2
6	~~Senior Project Manager/Housing Development & Modernization~~	~~2~~
7	~~Special Assistant Quality Insurance~~	~~2~~
8	Special Programs Manager	2
9	Vacates Manager	2

SEC. 3.1-275. HUMAN RESOURCES DEPARTMENT.

Disclosure Category 2. Persons in this category shall disclose all investments and business positions in business entities and income from any source which provides, or contracts with the City and County of San Francisco and its Human Resources Department to provide, services, supplies, materials, machinery or equipment to the Human Resources Department.

Designated Positions	Disclosure Categories
Human Resources Director	1
Deputy Director	1
Assistant Deputy Director	2
Employee Relations Director	1
EEO Manager	1
~~Workforce Development Director~~	~~2~~

1 **SEC. 3.1-285. HUMAN SERVICES COMMISSION.**

2 (a) **Disclosure Category 2.** Persons in this category shall disclose all investments
3 and business positions in business entities and income from any source which provides, or
4 contracts with the City and County of San Francisco and its Department of Human Services to
5 provide, services, supplies, materials, machinery or equipment to the Human Services
6 Department.

7 (b) **Disclosure Category 3.** Persons in this category shall disclose all investments
8 and business positions in business entities and income from any source which owns or
9 operates any board and care home, foster institution for children or home health agency in the
10 jurisdiction.

11 (c) **Disclosure Category 4.** Persons in this category shall disclose all investments
12 and business positions in business entities and income from any source which is engaged in
13 the sale of products or services related to data processing.

14 Designated Positions	Disclosure Categories
15 Members, Human Services Commission	1
16 Executive Director	1
17 ~~Chief of Staff~~	~~1~~
18 Administrator, First Source Hiring	2
19 Affirmative Action Officer	2
20 Contract Managers	2
21 Deputy Directors	1
22 Director, Contracts	2
23 Director, Information Technology	4
24 Director, Homeless Programs	2

1	~~Director, Planning and Budget~~	~~1~~
2	Director, Support Services	2
3	Director, Special Needs Programs	2
4	Manager, Budget	1
5	Manager, Investigations	3
6	Manager, Fiscal Operations	1
7	Program Manager, Family and Children's Services	2, 3
8	~~Program Manager, Adult Services~~	~~2, 3~~
9	Program Manager, CalWorks	2
10	Program Manager, Child Care	2
11	Program Manager, County Adult Assistance Programs	2
12	Program Manager, Food Stamps	2
13	Program Manager, Housing & Homeless Services	2
14	Program Manager, Staff Development	2
15	Program Manager, Workforce Development	2
16	Special Assistants to the Executive Director for Welfare Reform	2
17	Supervisor, Materials and Supplies	2

18

19 **SEC. 3.1-312. LOCAL AGENCY FORMATION COMMISSION.**

20	Designated Positions	Disclosure Categories
21	Member	1
22	Executive Officer	1
23	~~Consultants*~~	~~1~~

24

25

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**The Executive Officer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this Code. Such a determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.*

SEC. 3.1-315. MAYOR'S OFFICE.

Designated Positions

Disclosure Categories

Mayor

See Sec. 3.1-500

Mayoral Staff I _____ *I*

Mayoral Staff II _____ *I*

Mayoral Staff III _____ *I*

Mayoral Staff IV _____ *I*

Mayoral Staff V _____ *I*

Mayoral Staff VI _____ *I*

Mayoral Staff VII _____ *I*

Mayoral Staff VIII _____ *I*

Mayoral Staff IX _____ *I*

Mayoral Staff X _____ *I*

Mayoral Staff XI _____ *I*

Mayoral Staff XII _____ *I*

Mayoral Staff XIII _____ *I*

Mayoral Staff XIV _____ *I*

1	<i>Mayoral Staff XV</i>	<i>1</i>
2	<i>Mayoral Staff XVI</i>	<i>1</i>
3	<i>Mayoral Staff XVII</i>	<i>1</i>
4	<i>Administrative Secretary to the Mayor</i>	<i>1</i>
5	<i>Chief of Staff</i>	<i>1</i>
6	<i>Deputy Chief of Staff</i>	<i>1</i>
7	<i>Director of Government Affairs</i>	<i>1</i>
8	<i>Deputy Chief of Operations</i>	<i>1</i>
9	<i>Senior Advisor to the Mayor</i>	<i>1</i>
10		
11	<u>Administrative Division</u>	
12	<i>Director/Administration & Commissions</i>	<i>1</i>
13	<i>Confidential Secretary</i>	<i>1</i>
14		
15	<u>Finance Division</u>	
16	<i>Director of Finance</i>	<i>1</i>
17	<i>Deputy Director of Finance</i>	<i>1</i>
18	<i>Fiscal Analyst</i>	<i>1</i>
19		
20	<u>Communications Office</u>	
21	<i>Communications Director</i>	<i>1</i>
22	<i>Deputy Director</i>	<i>1</i>
23	<i>Asian Media Liason Liaison</i>	<i>1</i>
24	<i>Latino Media Liason Liaison</i>	<i>1</i>
25		

1
2 **Public Policy Division**

3 Director of Public Policy 1

4 Liason Liaison to the Board of Supervisors 1

5 Deputy Policy Director 1

6 Policy Analyst 1

7 Assistant to Deputy Chief of Staff 1

8
9 **Mayor's Office of Criminal Justice**

10 Director 1

11 Deputy Director 1

12 Director of Program Development 1

13 Director of Services Integration 1

14 Architect 1

15 Fiscal Analyst 1

16 Assistant to Director 1

17 CYA Coordinator 1

18 Violence Coordinator 1

19 Crime Data Manager 1

20
21 **Mayor's Office of Neighborhood Services**

22 Director 1

23 Deputy Director 1

24 District Liason Liaison 1

25
Clerk of the Board
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1
2 **SEC. 3.1-320. MUNICIPAL TRANSPORTATION AGENCY.**

3 ~~(a)~~—**Disclosure Category 2.** Persons in this category shall disclose all sources of
4 income, investments and his or her status as a director, officer, partner, trustee, employee, or
5 holder of a management position in any business entity.

6 **Designated Positions** **Disclosure Categories**

7 **Board of Directors**

8 Member, Board of Directors 1

9 *Administrative Secretary, Municipal Transportation*

10 *Agency, Board of Directors* 1

11 *Board Secretary* 1

12
13 **Municipal Transportation Agency**

14 *Executive Director/CEO (Director of Transportation)* 1

15 *Deputy Executive Director* 1

16 *Director of Finance* 1

17 *Director of Human Resources* 1

18 *Director of Capital Programs and Construction* 1

19 *Director of Information Technology and Strategic Business Planning* 1

20 *Director of External Affairs* 1

21 *Director of Planning* 1

22 *Deputy Director of Security and Enforcement* 1

23 *Deputy Director of Safety and Training* 1

24 *Senior Administrative Analyst* 2

1	<i>Principal Administrative Analyst</i>	2
2	<i>Transportation Safety Specialist</i>	2
3	<i>Safety Analyst</i>	2
4	<i>Manager of Project Management</i>	1
5	<i>Manager I</i>	1
6	<i>Manager II</i>	1
7	<i>Manager III</i>	1
8	<i>Manager IV</i>	1
9	<i>Manager V</i>	1
10	<i>Manager VI</i>	1
11	<i>Manager VII</i>	1
12	<i>Manager VIII</i>	1
13	<i>Project Manager I</i>	1
14	<i>Project Manager II</i>	1
15	<i>Project Manager III</i>	1
16	<i>Project Manager IV</i>	1
17	<i>Principal Engineer</i>	1
18	<i>Senior Engineer</i>	2
19	<i>Administrative Engineer</i>	1
20	<i>LRV Equipment Engineer</i>	2
21	<i>Senior LRV Equipment Engineer</i>	2
22	<i>Contract Compliance Director</i>	1
23	<i>Contract Compliance Officer I</i>	2
24	<i>Contract Compliance Officer II</i>	2
25		

1	<u>IS Manager</u>	<u>1</u>
2	<u>IS Project Director</u>	<u>1</u>
3	<u>Director of Service Planning</u>	<u>1</u>
4	<u>Transit Planner IV</u>	<u>1</u>
5	<u>Planner V</u>	<u>1</u>

6

7 **Municipal Railway Department**

8	<u>Director of Municipal Railway</u>	<u>1</u>
9	<u>Deputy Director of Municipal Railway</u>	<u>1</u>
10	<u>Deputy Director of Bus Service Delivery</u>	<u>1</u>
11	<u>Deputy Director of Central Operations/Support</u>	<u>1</u>
12	<u>General Manager of SF Municipal Railway</u>	<u>1</u>
13	<u>Chief Operating Officer</u>	<u>1</u>
14	<u>Deputy General Manager of Finance, Administration and Personnel</u>	<u>1</u>
15	<u>Deputy General Manager of Maintenance</u>	<u>1</u>
16	<u>Deputy General Manager of Operations</u>	<u>1</u>
17	<u>Deputy General Manager LR/HR/EEO Employment Programs</u>	<u>1</u>
18	<u>Deputy General Manager Safety and Training</u>	<u>1</u>
19	<u>Deputy General Manager Capital Planning and Legislative Affairs</u>	<u>1</u>
20	<u>Deputy General Manager, Construction Management</u>	<u>1</u>
21	<u>Senior Administrative Analyst</u>	<u>1</u>
22	Transit Manager I	1
23	Transit Manager II	1
24	<u>System Safety Inspector</u>	<u>1</u>

25

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1	<i>Director of Service Planning</i>	<i>1</i>
2	<i>Administrative Service Manager</i>	<i>1</i>
3	Materials Coordinator	1
4	Assistant Materials Coordinator	<i>±2</i>
5	<i>Electrical Transit Mechanic, Assistant Supervisor</i>	<i>1</i>
6	Automotive Transit Equipment Supervisor	1
7	Automotive Transit Shop Supervisor I	2
8	Electrical Transit Shop Supervisor I	2
9	<i>Transit Equipment Engineer</i>	<i>2</i>
10	<i>Senior LRV Equipment Engineer</i>	<i>2</i>
11	Senior Management Assistant	<i>±2</i>
12	Janitorial Service Supervisor	2
13	<i>Senior Civil Engineer</i>	<i>1</i>
14	<i>Senior Engineer</i>	<i>1</i>
15	<i>Administrative Engineer</i>	<i>1</i>
16	Chief Stationary Engineer	<i>±2</i>
17	Superintendent, Buildings and Grounds	<i>±2</i>
18	Signal and Systems Engineer	2
19	Powerhouse Electrician Supervisor II	2
20	<i>Transit Power Line Worker Supervisor II</i>	<i>2</i>
21	<i>Deputy Director of Resource, Planning and Development</i>	<i>1</i>
22	<i>Supervising Fiscal Officer</i>	<i>1</i>
23	Principal Administrative Analyst	<i>±2</i>
24	Senior Administrative Analyst	<i>±2</i>
25		

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1	<i>Manager of Engineering Services</i>	<i>1</i>
2	<i>Manager of Construction Services</i>	<i>1</i>
3	<i>Manager of Project Management</i>	<i>1</i>
4	Manager I	1
5	Manager II	1
6	Manager III	1
7	Manager IV	1
8	<i>Manager V</i>	<i>1</i>
9	<i>Manager VI</i>	<i>1</i>
10	<i>Manager VII</i>	<i>1</i>
11	<i>Manager VIII</i>	<i>1</i>
12	<i>Project Manager</i>	<i>1</i>
13	<i>Project Managers I, II, III, IV</i>	<i>1</i>
14	Principal Engineer	1
15	<i>Departmental Personnel Director</i>	<i>1</i>
16	<i>Senior Departmental Personnel Officer</i>	<i>1</i>
17	<i>Assistant Deputy Director, HR</i>	<i>1</i>
18	<i>Contract Compliance Director</i>	<i>1</i>
19	<i>Contract Compliance Officer II</i>	<i>1</i>
20	<i>Contract Compliance Officer I</i>	<i>1</i>
21	<i>Chief, Protective Services, Transportation Commission</i>	<i>1</i>
22	<i>IS Manager</i>	<i>1</i>
23	<i>IS Project Director</i>	<i>1</i>
24	<i>Director Community Affairs</i>	<i>1</i>
25		

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1 *Financial Manager* _____ *1*

2 *Senior Operations Managers* _____ *1*

3 *Transit Operations Specialist* _____ *1*

4 *Transit Planner IV* _____ *1*

5 *Special Assistant XI* _____ *1*

6

7 **Parking and Traffic Department**

8 *Executive Director* _____ *At-1*

9 *Principal Engineer* _____ *1*

10 *Senior Engineer* _____ *2*

11 *Manager II* _____ *1*

12 *Manager III* _____ *1*

13 *Manager V* _____ *1*

14 *Deputy Director, Finance and Administration*

15 *Deputy Director, Traffic*

16 *Deputy Director, Enforcement*

17 *Deputy Director, Parking Services*

18

19 **SEC. 3.1-325. PARKING AUTHORITY.**

20 **Designated Positions** **Disclosure Categories**

21 **Members of the Parking Authority** **At-1**

22 **Director** _____ *1*

23 **Deputy Director** _____ *1*

24 *Principal Administrative Analyst*

25

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SEC. 3.1-335. PLANNING DEPARTMENT.

(a) **Disclosure Category 2.** Persons in this category shall disclose all interests in real property, and all income from, and investments and business positions in any business entity that is principally involved in real estate development, architecture, design, engineering, real estate brokerage, real estate finance or appraisal, or historic preservation.

(b) **Disclosure Category 3.** Persons in this category shall disclose all investments and business positions in business entities and income from any source which provides, or contracts with the City and County of San Francisco and the Department of City Planning to provide, services, supplies, materials, machinery or equipment to the Department of City Planning.

Designated Positions	Disclosure Categories
Planning Commissioners	See Sec. 3.1-500
Director of Planning	1
<u>Chief Administrative Officer</u>	<u>1</u>
<u>Director of Finance</u>	<u>1</u>
Assistant Director—Implementation	1
0932 Manager IV	1
Planner V—General	1
Planner V—Zoning	1
Environmental Review Officer	1
Administrative Secretary, City Planning Commission	1
Planner IV—General	1
Planner IV—Zoning	1

1	Planner IV--Environmental Review	1
2	Planner IV--Urban Systems Analyst	1
3	Planner III--Urban Design	2
4	Planner III--Transportation	2
5	Planner III--General	2
6	Planner III--Zoning	2
7	Planner III--Environmental Review	2
8	Planner II	2
9	Planner I	2
10	Transit Planner IV	1
11	Transit Planner III	2
12	Transit Planner II	2
13	Architectural Assistant II	2
14	Architectural Assistant I	2
15	Liaison to the Board of Supervisors	1
16	<i>Consultants*</i>	<i>1</i>

17

18 ** With respect to consultants, the Director of Planning may determine in writing that a particular*
19 *consultant is hired to perform a range of duties that are limited in scope and thus is not required to*
20 *comply with the disclosure requirements described in this category. Such determination shall include a*
21 *description of the consultant's duties and, based upon that description, a statement of the extent of*
22 *disclosure requirements. The Director of Planning shall forward a copy of this determination to the*
23 *Board of Supervisors. Nothing herein excuses any such consultant from any other provision of this*
24 *Conflict of Interest Code.*

25

SEC. 3.1-340. POLICE DEPARTMENT.

(a) **Disclosure Category 2.** Persons in this category shall disclose all investments and business positions in business entities and income from any source which provides, or contracts with the City and County of San Francisco and its Police Department to provide, services, supplies, materials, machinery or equipment to the Police Department.

(b) **Disclosure Category 3.** Persons in this category shall disclose all investments and business positions in business entities, interests in real property, and income from any source subject to the regulatory, permit or licensing authority of the Police Department.

Designated Positions	Disclosure Categories
Police Commissioners	1
Chief of Police	1
Deputy Chief of Police	1
Assistant Chief of Police	1
All Captains of Police	1
Commanders of Police	1
Commanding Officers, District Stations	1
Commanding Officer, Planning Division	2
Commanding Officer, Vice Crimes	1
Commanding Officer, Property Control Division	1
Commanding Officer, Fiscal Division	1
Commanding Officer, Legal Division	1
Legal Officers	1
Commanding Officer, Permits Section	3

1	Officer in Charge, Permit Section	3
2	Chief's Permit Hearing Officer	3
3	Officer in Charge of the Police Law Enforcement Services Unit	1
4	Officer in Charge of Management Control Division	1
5	Officer in Charge of Management Information Systems	1
6	Chief Accounting Officer	2
7	Commanding Officer—Special Investigations	1
8	Commanding Officer--Narcotics Division	1
9	Lieutenant—Vice Crimes	1
10	Lieutenant—Narcotics	1
11	<i>Consultants*</i>	<i>1</i>

**The Chief of Police may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such a determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief's determination is a public record and shall be retained for public inspection in the same manner and location as statement filed under this Conflict of Interest Code. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.*

SEC. 3.1-345. PORT COMMISSION.

Disclosure Category 2. Persons in this category shall disclose all investments in any business entity and income from any source which leases, rents or operates from property

under the jurisdiction of the Port Commission, or which provides, or contracts with the City and County of San Francisco or the Port Commission to provide, services (including construction, repair and maintenance), equipment, materials, supplies, vehicles, or other items of use to the Port Commission, or which may foreseeably do so in the future, or which has done so within two years prior to any time period covered by a statement of economic interest, and his or her status as a director, officer, partner, trustee, employee, or holder of any management position in any such business entity.

Designated Positions	Disclosure Categories
Port Commissioners	1
Port Director	1
Deputy Directors, Port	1
Manager VI (Chief Harbor Engineer)	1
~~Government and Public Affairs Manager~~	~~1~~
~~Financial Manager~~	~~1~~
Supervising Fiscal Officer	1
~~Chief Building Inspector~~	~~1~~
Executive Assistant to the Port Director	2
Assistant Deputy Director, Port	2
Superintendent, Harbor Maintenance	2
Senior Building Inspector	2
Building Inspector	2
Construction Inspector	2
Senior Property Manager	2
Property Manager	2

1	Maritime Marketing Representative	2
2	Wharfinger II	2
3	Manager, Regulatory and Environmental Affairs	2
4	Development Project Coordinator	2
5	Planner V	2
6	Planner IV	2
7	Planner III	2
8	Feasibility Analyst	2
9	Principal Administrative Analyst	2
10	IS Project Director	2
11	Manager II (Special Projects Manager)	<u>21</u>
12	~~Collections Supervisor~~	~~2~~
13	Senior Engineers	<u>21</u>
14	Construction and Maintenance ~~Supervisor Superintendent~~ II, Port	<u>21</u>
15	~~Administrative Engineer~~	~~1~~
16	~~Project Manager III~~	~~1~~
17	~~Manager IV (Homeland Security Manager)~~	~~1~~

SEC. 3.1-350. PRIVATE INDUSTRY COUNCIL OF SAN FRANCISCO, INC.—~~WORKFORCE~~
~~INVESTMENT SAN FRANCISCO BOARD.~~

(a) **Disclosure Category 2.** Persons in this disclosure category shall disclose all investments and business positions in any business entity of management in, and income from any source, organization that, during the period being reported, which has submitted a proposal proposed to enter into or which has entered into any contract, subcontract or other financial agreement

with the Private Industry Council of San Francisco, Inc. during the period covered by the disclosure statement.

(b) —Disclosure Category 3. Members of the Workforce Investment San Francisco Board and of its Executive Committee, Employer Services Committee, One-Stop Committee, Program Resources Committee, and any other committee of the Workforce Investment San Francisco Board that recommends or selects parties to financial agreements with the Private Industry Council of San Francisco, Inc. shall disclose all income from, and investments and positions of management in any organization that, during the period being reported, has been a candidate for any financial agreement with the Private Industry Council of San Francisco, Inc. that is subject to the Board's selection.

Designated Positions	Disclosure Categories
----------------------	-----------------------

<u>Member, Workforce Investment San Francisco Board</u>	<u>3</u>
<u>Member, Private Industry Council Board of Directors</u>	<u>2</u>
<u>Member, Designated Committee of the Board</u>	<u>3, 2</u>
<u>Member, Senior Leadership Team, Private Industry Council of San Francisco, Inc.</u>	<u>2, 3</u>
<u>President, Private Industry Council</u>	<u>2</u>
<u>Chief Operating Officer, Private Industry Council</u>	<u>2</u>
<u>Vice Presidents, Private Industry Council</u>	<u>2</u>
<u>Directors, Private Industry Council</u>	<u>2</u>
<u>Workforce Analysts, Private Industry Council</u>	<u>2</u>
<u>Rapid Response Coordinators, Private Industry Council</u>	<u>2</u>
<u>Universal Business Representatives, Private Industry Council</u>	<u>2</u>
<u>Consultants*</u>	<u>1</u>

1 ~~*With respect to consultants, the President of the Private Industry Council may determine in~~
2 ~~writing that a particular consultant is hired to perform a range of duties that are limited in scope and~~
3 ~~thus is not required to comply with the disclosure requirements described in this category. Such~~
4 ~~determination shall include a description of the consultant's duties and, based upon that description, a~~
5 ~~statement of the extent of disclosure requirements. The President shall forward a copy of this~~
6 ~~determination to the Board of Supervisors. Nothing herein excuses any such consultant from any other~~
7 ~~provision of this Conflict of Interest Code.~~

8 9 **SEC. 3.1-365. PUBLIC UTILITIES COMMISSION.**

10 (a) **Disclosure Category 2.** Persons in this category shall disclose all investments in
11 any business entity and any income from a source which, within the previous two years, did or
12 in the future foreseeably might, lease, rent, or operate from the property of the Clean Water
13 Enterprise or provide or contract with the Clean Water Enterprise to provide service (including
14 construction, repair, and maintenance), equipment, materials, supplies, vehicles, or other
15 items of use to the Clean Water Enterprise, and his or her business position in any such
16 business entity.

17 (b) **Disclosure Category 3.** Persons in this category shall disclose all investments in
18 any business entity and any income from a source which, within the previous two years, did or
19 in the future foreseeably might, lease, rent, or operate from the property of the San Francisco
20 Water Department or provide or contract with the San Francisco Water Department to provide
21 service (including construction, repair, and maintenance), equipment, materials, supplies,
22 vehicles, or other items of use to the San Francisco Water Department, and his or her
23 business position in any such business entity.

(c) **Disclosure Category 4.** Persons in this category shall disclose all investments in any business entity and any income from a source which, within the previous two years, did or in the future foreseeably might, lease, rent, or operate from the property of Hetch Hetchy or provide or contract with Hetch Hetchy to provide service (including construction, repair, and maintenance), equipment, materials, supplies, vehicles, or other items of use to Hetch Hetchy, and his or her business position in any such business entity.

Designated Positions

Public Utilities Commission, *Boards and Administration*

Clerk of the Board
BOARD OF SUPERVISORS

1 *Assistant General Manager, Infrastructure*

2 *Assistant General Manager, Power Policy, Planning &*

3 *—Resource Development*

4 *Member, Residential Users Appeals Board Member* 1

5 *Member, Revenue Bond Oversight Committee*

6 *Executive Assistant to the General Manager*

7 *Internal Projects Manager*

8 *Contract Compliance Officer**

9 *Consultant***

10
11 *Water Enterprise*

12 *Electrical Operation and Maintenance Superintendent* 3,4

13 *Executive Asst. to the AGM, Water* 3

14 *Maintenance and Repair Assistant Superintendent, Hetch Hetchy Project* 3,4

15 *Integrated Water Resource Manager* 3

16 *Water Resources Planning Manager* 3

17 *Water and Power Supply Manager* 3,4

18 *Operations Manager, CDD* 3

19 *Environmental Services Manager* 3

20 *Water Quality Bureau Laboratory Manager* 3

21 *Construction and Maintenance Manager* 3

22 *Operations Manager, WS&T* 3

23 *Manager, Natural Resources* 3

24 *Water Resources Director* 3

25
Clerk of the Board

BOARD OF SUPERVISORS

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1	<u>General Manager, Hetch Hetchy</u>	<u>1</u>
2	<u>Deputy Director Water Enterprise</u>	<u>1</u>
3	<u>Asst. General Manager, Water Enterprise</u>	<u>1</u>
4	<u>Senior Administrative Analyst</u>	<u>3,4</u>
5	<u>Principal Administrative Analyst</u>	<u>3</u>
6	<u>Water Conservation Administrator</u>	<u>3</u>
7	<u>Materials Coordinator</u>	<u>3</u>
8	<u>Assistant Purchaser</u>	<u>3</u>
9	<u>Laboratory Services Manager</u>	<u>3</u>
10	<u>Forester</u>	<u>3</u>
11	<u>Watershed Forester</u>	<u>3</u>
12	<u>Watershed Resources Manager</u>	<u>3</u>
13	<u>Water Quality Bureau Manager</u>	<u>3</u>
14	<u>Maintenance Engineering Manager, Hetch Hetchy Project</u>	<u>3,4</u>
15	<u>Superintendent of Water Treatment Facilities</u>	<u>3</u>
16	<u>Utility Services Manager</u>	<u>3</u>
17	<u>Principal Engineer</u>	<u>3</u>
18	<u>Chief Surveyor</u>	<u>3</u>
19	<u>Project Manager III</u>	<u>3</u>
20	<u>Buildings and Grounds Maintenance Superintendent</u>	<u>3</u>
21	<u>Water Shops and Equipment Superintendent</u>	<u>3</u>
22	<u>Maintenance Manager</u>	<u>3,4</u>
23	<u>Power Generation Supervisor</u>	<u>3,4</u>
24	<u>Government and Public Affairs Manager</u>	<u>3</u>
25		

Wastewater Enterprise

<u>Water Pollution Prevention Program Manager</u>	<u>2</u>
<u>Manager, Waste Water Enterprise Operating Division</u>	<u>2</u>
<u>Manager, Clean Water Regulatory Compliance</u>	<u>2</u>
<u>Administrative Section Manager</u>	<u>1</u>
<u>Bureau Manager</u>	<u>2</u>
<u>Waste Water Planning Division Manager</u>	<u>1</u>
<u>Program Manager Environmental Compliance</u>	<u>2</u>
<u>Asst. General Manager, Waste Water</u>	<u>1</u>
<u>Principal Administrative Analyst</u>	<u>1</u>
<u>Materials Coordinator</u>	<u>2</u>
<u>Assistant Purchaser</u>	<u>2</u>
<u>Sewage Treatment Plant Superintendent</u>	<u>2</u>
<u>Administrative Engineer</u>	<u>2</u>
<u>Principal Engineer</u>	<u>2</u>

Power Enterprise

<u>Water and Power Resources Manager</u>	<u>4</u>
<u>Manager, Electric & Gas Retail Services</u>	<u>4</u>
<u>Asst. General Manager, Power</u>	<u>1</u>
<u>Special Assistant XIII</u>	<u>4</u>
<u>Senior Administrative Analyst</u>	<u>4</u>
<u>Principal Administrative Analyst</u>	<u>4</u>

1	<u>Site Manager</u>	<u>4</u>
2	<u>Manager of Infrastructure Development</u>	<u>4</u>
3	<u>Water and Power Resources Manager</u>	<u>4</u>
4	<u>Government and Public Affairs Manager</u>	<u>4</u>
5	<u>Capital Programs /Contract Administration</u>	
6	<u>Construction Contracts Administrator</u>	<u>1</u>
7	<u>Contracts Manager</u>	<u>1</u>
8	<u>Director of Contracts</u>	<u>1</u>
9	<u>Deputy General Manager</u>	<u>1</u>
10	<u>Principal Administrative Analyst</u>	<u>1</u>
11		
12	<u>Infrastructure Bureau</u>	
13	<u>Project Development Coordinator</u>	<u>1</u>
14	<u>Director, Water System Improvement Program</u>	<u>1</u>
15	<u>Infrastructure Administration Manager</u>	<u>1</u>
16	<u>Manager of Expediting, WSIP</u>	<u>1</u>
17	<u>Manager, Construction Labor Projects, Capital Projects</u>	<u>1</u>
18	<u>ROW Manager, WSIP</u>	<u>1</u>
19	<u>Program Services Manager</u>	<u>1</u>
20	<u>WSIP Client Representative, Peninsula</u>	<u>1</u>
21	<u>WSIP Client Representative, Sunol</u>	<u>1</u>
22	<u>WSIP Client Representative, SF Local</u>	<u>1</u>
23	<u>WSIP Client Representative, Water Quality</u>	<u>1</u>
24	<u>WSIP Client Representative, San Joaquin</u>	<u>1</u>
25		

1	<i>WSIP Client Representative, SF Regional</i>	<i>1</i>
2	<i>Construction Manager</i>	<i>1</i>
3	<i>Director, Workforce Development WSIP</i>	<i>1</i>
4	<i>WSIP Manager of Projects</i>	<i>1</i>
5	<i>Director of Regulatory Compliance</i>	<i>1</i>
6	<i>Manager, Project Management Bureau</i>	<i>1</i>
7	<i>Special Assistant VII</i>	<i>1</i>
8	<i>Senior Administrative Analyst</i>	<i>1</i>
9	<i>Principal Administrative Analyst</i>	<i>1</i>
10	<i>Program Manager II</i>	<i>1</i>
11	<i>Administrative Engineer</i>	<i>1</i>
12	<i>Manager, Construction Management Bureau</i>	<i>1</i>
13	<i>Manager, Engineering Management Bureau</i>	<i>1</i>
14	<i>Manager, Project Controls and Support</i>	<i>1</i>
15	<i>Project Manager I</i>	<i>1</i>
16	<i>Project Manager II</i>	<i>1</i>
17	<i>Project Manager III</i>	<i>1</i>
18	<i>Project Manager IV</i>	<i>1</i>
19	<i>SF Regional and Wastewater Manager</i>	<i>1</i>
20	<i>Structural Design Section Manager</i>	<i>1</i>
21	<i>Mechanical Design Section Manager</i>	<i>1</i>
22	<i>Electrical Design Section Manager</i>	<i>1</i>
23	<i>Pipeline Design Section Manager</i>	<i>1</i>
24	<i>Dam, Tunnel, Civil Design Section Manager</i>	<i>1</i>

25

Clerk of the Board

BOARD OF SUPERVISORS

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1	<i>Principal Engineer</i>	<i>1</i>
2	<i>Deputy Bureau Manager, Engineering Management</i>	<i>1</i>
3	<i>Principal Engineer</i>	<i>1</i>
4	<i>Planner IV</i>	<i>1</i>
5	<i>Manager, Regulatory and Environmental Affairs</i>	<i>1</i>
6	<i>Assistant General Manager, Infrastructure</i>	<i>1</i>
7		
8	<u>Business Services Bureau</u>	
9	<i>Water and Power Resources Manager</i>	<i>1</i>
10	<i>Fleet Manager</i>	<i>1</i>
11	<i>Training Coordinator</i>	<i>1</i>
12	<i>Program Budgeting Manager</i>	<i>1</i>
13	<i>Supervising Fiscal Officer</i>	<i>1</i>
14	<i>Debt Manager</i>	<i>1</i>
15	<i>Asset Manager</i>	<i>1</i>
16	<i>Director of Accounting</i>	<i>1</i>
17	<i>Asst. Director, Human Resource Services</i>	<i>1</i>
18	<i>Manager, Office of Health and Safety</i>	<i>1</i>
19	<i>Budgets, Rates and Administration Manager</i>	<i>1</i>
20	<i>Applications Software Manager</i>	<i>1</i>
21	<i>Finance Bureau Director</i>	<i>1</i>
22	<i>Manager, Bureau of Management Information Systems, PUC</i>	<i>1</i>
23	<i>Deputy Director, Human Resource Services</i>	<i>1</i>
24	<i>Asst. General Manager, Business Services</i>	<i>1</i>
25		

1	<u>IS Project Director</u>	<u>1</u>
2	<u>Mainframe Application Manager</u>	<u>1</u>
3	<u>Special Projects Manager</u>	<u>1</u>
4	<u>SCADA Manager</u>	<u>1</u>
5	<u>Networking Manager</u>	<u>1</u>
6	<u>Customer Service Division Manager</u>	<u>1</u>
7	<u>Payroll Supervisor</u>	<u>1</u>
8	<u>Assistant Manager, EEO Programs</u>	<u>1</u>
9	<u>Principal Personnel Analyst</u>	<u>1</u>
10	<u>Senior Systems Accountant</u>	<u>1</u>
11	<u>General Ledger Supervisor</u>	<u>1</u>
12	<u>Supervising Fiscal Officer</u>	<u>1</u>
13	<u>Capital Budget Manager</u>	<u>1</u>
14	<u>Senior Administrative Analyst</u>	<u>1</u>
15	<u>Principal Administrative Analyst</u>	<u>1</u>
16	<u>Rate Administrator</u>	<u>1</u>
17	<u>Commercial Division Assistant Supervisor</u>	<u>1</u>
18	<u>Customer Service Billing and Collections Supervisor</u>	<u>1</u>
19	<u>Safety Officer</u>	<u>1</u>
20	<u>Budget Director</u>	<u>1</u>
21	<u>Principal Engineer</u>	<u>1</u>
22	<u>Chief Water Service Inspector</u>	<u>1</u>

Bureau of External Affairs

Clerk of the Board
BOARD OF SUPERVISORS

1	<i>Policy and Legislative Manager</i>	<i>1</i>
2	<i>Asst. Director of Property</i>	<i>1</i>
3	<i>Communications Director</i>	<i>1</i>
4	<i>Asst. General Manager, External Affairs</i>	<i>1</i>
5	<i>Executive Director, Southeast Community Facility Commission</i>	<i>2</i>
6	<i>Real Property Officer</i>	<i>1</i>
7	<i>Senior Real Property Officer</i>	<i>1</i>
8	<i>Water and Power Resources Manager</i>	<i>1</i>
9	<i>Government and Public Affairs Manager</i>	<i>1</i>
10		
11	<i>Communications Division</i>	
12	<i>Director, Communications Division</i>	<i>All 1</i>
13	<i>Deputy Director, Communications Division</i>	
14	<i>Principal, Administrative Analyst, Communications</i>	
15	<i>Project Manager, IV, Coordinator of Citizen Involvement</i>	
16		
17	<i>Hetch-Hetchy Water & Power</i>	
18	<i>General Manager, Hetch Hetchy</i>	<i>1</i>
19	<i>Maintenance Engineering Manager</i>	<i>1</i>
20	<i>Superintendent of Operations</i>	<i>1</i>
21	<i>Administrative Engineer</i>	<i>4</i>
22	<i>Utility Specialist</i>	<i>4</i>
23	<i>Water and Power Resources Manager</i>	<i>1</i>
24	<i>Maintenance and Repair Superintendent</i>	<i>4</i>
25		

1	<i>Electrical Operation and Maintenance Superintendent</i>	4
2	<i>Power Generation Technician I</i>	4
3	<i>Power Generation Technician II</i>	4
4	<i>Senior Power Generation Technician</i>	4
5	<i>Power Generation Supervisor</i>	4
6	<i>Mechanical Shop and Equipment Superintendent</i>	4
7	<i>Water Quality Technician I/II</i>	4
8	<i>Senior Engineer</i>	4
9	<i>Engineer</i>	4
10	<i>Electrical Engineering Assistant</i>	4
11	<i>Engineering Associate II</i>	4
12	<i>Associate Engineer</i>	4
13	<i>Principal Administrative Analyst</i>	4
14	<i>Senior Administrative Analyst</i>	4
15	<i>Senior Management Assistant</i>	4
16	<i>Program Manager II</i>	4
17	<i>Site Manager</i>	4
18		
19	<i>Water Supply and Treatment Division</i>	
20	<i>Water Supply and Treatment Manager</i>	1
21	<i>Program Manager II</i>	1
22	<i>Land and Resource Manager</i>	3
23	<i>Water Construction and Maintenance Superintendent</i>	3
24	<i>Principal Engineer</i>	3
25		

1 *Capital Program Liaison* 2

2
3 ***City Distribution Division***

4 *City Distribution Division Manager* 1

5 *Principal Administrative Analyst* 1

6 *Senior Administrative Analyst* 1

7 *Administrative Service Manager* 1

8 *Engineering Section Manager* 3

9 *Superintendent, Buildings and Grounds* 3

10 ***Construction and Maintenance***

11 *Superintendent* 3

12 *Material Coordinator* 3

13 *Water Shops and Equipment Superintendent* 3

14 *Stores and Equipment Asst. Supervisor* 3

15 *Special Projects Manager* 3

16
17 ***Water Pollution Control Division***

18 *Manager, Water Pollution Control* 1

19 *Deputy Manager, Water Pollution Control* 1

20 *Administrative Services Manager* 2

21 *Maintenance Manager* 2

22 *Sewage Treatment Plant Superintendent* 2

23 *Southeast Facility Executive Director* 2

24 *Acting Superintendent* 2

1 *Principal Engineer*.....2

2 *Senior Stationary Engineer, Materials*.....2

3
4 *Water Quality Bureau*

5 *Manager, Water Quality*.....1

6 *Program Manager I*.....1

7 *Program Manager II*.....1

8 *Principal Engineer*.....1

9 *Administrative Services Manager*.....1

10
11 *Customer Service*

12 *Director, Customer Service*.....1

13 *Water Conservation Administrator*.....3

14
15 *Utilities Engineering Bureau*.....All-I

16 *Special Assistant XVII*

17 *Manager of Workforce Development*

18 *Manager, Utilities Engineering Bureau*

19 *Deputy Bureau Manager*

20 *Manager of Projects*

21 *Principal Civil Engineer*

22 *Senior Engineer*

23 *Engineer*

24 *Program Manager III*

25
Clerk of the Board
BOARD OF SUPERVISORS

1 *Project Manager IV*

2 *CIP Program Manager*

3
4 *Real Estate Services* ----- *All 1*

5 *Director, Real Estate Services*

6 *Senior Real Property Officer*

7 *Real Property Officer*

8 *Assistant Civil Engineer*

9
10 *Financial Services* ----- *All 1*

11 *Director, Financial Services*

12 *Supervising Fiscal Officer*

13 *Senior Systems Accountant*

14 *Senior Administrative Analyst*

15 *Principal Administrative Analyst*

16 *Rate Administrator*

17 *Special Assistant XV*

18 *Director of Accounting*

19 *Budget Manager*

20 *Fiscal Officer*

21
22 *Information Technology Services* ----- *All 1*

23 *Director, ITS*

24 *IT Manager*

25
Clerk of the Board
BOARD OF SUPERVISORS

1 *Principal Administrative Analyst*

3 *Human Resource Services* *All 1*

4 *Director, Human Resource Services*

5 *Manager, Labor Relations Unit*

6 *Manager, Discipline Process Unit*

7 *Manager, Staffing Unit*

9 *Bureau of Systems & Strategic Planning* *All 1*

10 *Manager*

11 *Legislative Affairs Manager*

12 *Clean Water Planning Manager*

13 *Water Resources Planning Manager*

14 *Water Conservation Administrator*

16 *Bureau of Environmental Regulation and Management*

17 *Bureau Manager* *1*

18 *Administrative Engineer* *2*

19 *Assistant Engineer* *2*

20 *Associate Engineer* *2*

21 *Principal Engineer* *2*

22 *Water Quality Technician I/II* *2*

23 *Wastewater Control Inspector* *2*

24 *Supv. Wastewater Control Inspector* *2*

Clerk of the Board
BOARD OF SUPERVISORS

Principal Administrative Analyst _____ 2

Program Manager I _____ 2

Manager, Office of Health & Safety _____ 1

Safety Officer _____ 1

** All personnel, except clerical, assigned by the Human Rights Commission to the Public Utilities Commission to serve as Contract Compliance Officers shall comply with the filing requirements for Contract Compliance Officers under this Section (Sec. 3-1-365).*

*** With respect to consultants, the General Manager of Public Utilities may determine that a particular consultant is hired to perform a range of duties that fall within those required to comply with the disclosure requirements of this Conflict of Interest Code.*

SEC. 3-1-375-3.1-252. GENERAL SERVICES AGENCY – PUBLIC WORKS, DEPARTMENT OF.

Designated Positions	Disclosure Categories
-----------------------------	------------------------------

General Office	<i>All I</i>
-----------------------	--------------

Director of Public Works _____	<i>I</i>
--------------------------------	----------

Assistant to Director of Public Works

Deputy Director of Public Works and Engineering _____	<i>I</i>
---	----------

Deputy Director of Public Works and Operations _____	<i>I</i>
--	----------

Director of Government and Public Affairs _____	<i>I</i>
---	----------

Assistant City Engineer

Stores & Equipment Assistant Supervisor _____	<i>I</i>
---	----------

<u>Special Assistant to the Director, Manager VI</u> _____	<i>I</i>
--	----------

Clerk of the Board
BOARD OF SUPERVISORS

1 Mobile Equipment Supervisor 1

2 Assistant Mobile Equipment Supervisor 1

3
4 **Office of Financial Management and Administration** *All 1*

5 Deputy Director for Financial Management and Administration 1

6 Financial Manager, Budget and Analysis Division 1

7 Computer Services Division Manager 1

8 Contract Section Manager 1

9 Financial Manager, Business Services Division 1

10
11 **Bureau of Architecture** *All 1*

12 Bureau Manager - BOA 1

13 Assistant City Architect 1

14 Principal Architect 1

15 Senior Architect 1

16 *Bureau of Architecture*

17 Architect 1

18 Project Manager I 1

19 Project Manager II 1

20 Project Manager III 1

21 Project Manager IV 1

22
23 **Bureau of Building Repair** *All 1*

24 Operations Bureau Superintendent - BBR 1

25
Clerk of the Board
BOARD OF SUPERVISORS

1	Public Building Maintenance and Repair Assistant Superintendent	/
2	Building and Grounds Maintenance Supervisor	/
3	~~Assistant Mobile Equipment Supervisor~~	
4	Cement Finisher Supervisor II	/
5	Glazier Supervisor I	/
6	Locksmith Supervisor I	/
7	Plumber sSupervisor II	/
8	Sheet Metal Supervisor II	/
9	Maintenance Planner	/
10	Carpenter Supervisor II	/
11	Electrician Supervisor II	/
12	Painter Supervisor II	/
13	Steam Filter Supervisor I	/
14	General Services Manager	/
15	Senior Stationary Engineer	/
16		
17	Bureau of Engineering	<i>All +</i>
18	~~Chief of Engineering~~ Bureau Manager - BOE	/
19	Principal Engineer	/
20	Project Manager I	/
21	Project Manager II	/
22	Project Manager III	/
23	Project Manager IV	/
24	Manager VI	/
25		

Clerk of the Board
BOARD OF SUPERVISORS

1 Manager VIII _____ /
2 Program Manager I _____ /
3 Senior Engineer _____ /
4 Engineer _____ /
5 Administrative Engineer _____ /
6 Associate Engineer _____ /
7 *Structural Engineer* _____ /
8 Senior Landscape Architect _____ /
9 Landscape Architect _____ /
10 Landscape Architectural Associate I _____ /
11 Landscape Architectural Associate II _____ /
12 Disability Access Coordinator _____ /
13 Manager, Regulatory and Environmental Affairs _____ /

14
15 **Bureau of Environmental Services** *All-I*

16 Operations Bureau Superintendent - BSES _____ /

17 Street Cleaning and Planting Assistant Superintendent _____ /

18 *Senior Environmental Control Officer*

19 *Environmental Control Officer*

20 Street Environmental Services Operations Supervisor _____ /

21 *Mobile Equipment Supervisor*

22 *Assistant Mobile Equipment Supervisor*

23
24 **Bureau of Street and Sewer Repair** *All-I*

- 1 Operations Bureau Superintendent - BSSR _____ /
- 2 Assistant Superintendent of Streets and Sewer Repair _____ /
- 3 *Mobile Equipment Supervisor*
- 4 *Assistant Mobile Equipment Supervisor*
- 5 Asphalt Plant Supervisor I _____ /
- 6 Senior Stationary Engineer _____ /
- 7 Street Repair Supervisor II _____ /
- 8 Sewer Repair Supervisor _____ /
- 9
- 10 **Bureau of Construction Management** *All-I*
- 11 Bureau Manager - BCM _____ /
- 12 Principal Engineer _____ /
- 13 Senior Engineer _____ /
- 14 Administrative Engineer _____ /
- 15 Engineer _____ /
- 16 Associate Engineer _____ /
- 17 Assistant Engineer _____ /
- 18 *Chief Surveyor*
- 19 Building Inspector _____ /
- 20 Senior Building Inspector _____ /
- 21 *Assistant Construction Inspector* _____ /
- 22 Construction Inspector _____ /
- 23 *Senior Construction Inspector* _____ /
- 24 Cost Estimator _____ /
- 25

1 Junior Engineer _____ 1

2 Program Manager I _____ 1

3 Program Manager II _____ 1

4 *Project Manager I* _____ 1

5 *Project Manager II* _____ 1

6 *Project Manager III* _____ 1

7 *Project Manager IV* _____ 1

8 *Consultants**

10 **Bureau of Street Use and Mapping** *All 1*

11 Bureau Manager - BSM _____ 1

12 Senior Plan Checker _____ 1

13 Senior Engineer _____ 1

14 Associate Engineer _____ 1

15 Assistant Engineer _____ 1

16 *Junior Engineer* _____ 1

17 Chief Surveyor _____ 1

18 Engineering Associate II _____ 1

19 Street Inspector _____ 1

20 Senior Street Inspector _____ 1

21 Street Inspection Supervisor _____ 1

22 *Planner-III*

23 Project Manager I _____ 1

24 *Project Manager II* _____ 1

1 Project Manager III 1

2 Project Manager IV 1

3 Manager II

4 Manager IV, Inspection and Enforcement 1

5 Manager V, Deputy Bureau Chief - BSM 1

6 Manager VI, County Surveyor 1

8 **Bureau of Urban Forestry** *All 4*

9 Bureau Superintendent - BUF 1

10 Assistant Bureau Superintendent 1

11 Assistant Mobile Equipment Supervisor

12 Street Environmental Services Operations Supervisor

13 Cement Finisher Supervisor II 1

14 Maintenance Manager 1

15 Urban Forester 1

16 Tree Topper Supervisor II 1

17 Program Support Analyst 1

18
19 ** With respect to consultants, the Director of Public Works may determine in writing that a*
20 *particular consultant is hired to perform a range of duties that are limited in scope and thus is not*
21 *required to comply with the disclosure requirements described in this category. Such determination*
22 *shall include a description of the consultant's duties and, based upon that description, a statement of*
23 *the extent of disclosure requirements. The Director shall forward a copy of this determination to the*
24
25

1 *Board of Supervisors. Nothing herein excuses any such consultant from any other provision of this*
2 *Conflict of Interest Code.*

3
4 **SEC. 3.1-390. RECREATION AND PARK DEPARTMENT.**

5 ~~(a)—Disclosure Category 2. Persons in this category shall disclose all investments~~
6 ~~and income from any source which leases, rents or operates from property under the~~
7 ~~jurisdiction of the Recreation and Park Commission, or which provides, or contracts with the~~
8 ~~City and County of San Francisco or the Recreation and Park Commission to provide,~~
9 ~~services (including construction, repair and maintenance), equipment, materials, supplies,~~
10 ~~vehicles, or other items of use to the Recreation and Park Commission or the Recreation and~~
11 ~~Park Department, or which may foreseeably do so in the future, or which has done so within~~
12 ~~two years prior to any time period covered by a statement of economic interest, and his or her~~
13 ~~status as a director, officer, partner, trustee, employee, or holder of any management position~~
14 ~~in any such business entity.~~

15 ~~(b)—Disclosure Category 3. Persons in this category shall disclose all income from, and~~
16 ~~investments in, any business entity which does business in the jurisdiction, or has done business in the~~
17 ~~jurisdiction within two years prior to any time period covered by a statement of economic interest, or~~
18 ~~which may foreseeably do business in the jurisdiction in the future, and his or her status as a director,~~
19 ~~officer, partner, trustee, employee, or holder of any management position in any such business entity.~~

Designated Positions	Disclosure Categories
Recreation and Park Commissioners	1
General Manager	1
~~Executive Secretary to General Manager~~	~~2~~
~~Special Assistant XVI~~	~~1~~

1	<i>Special Assistant XIII (Executive Assistant to the General Manager)</i>	2
2	<i>Recreation Superintendent of City-Wide Services</i>	1
3	<i>Parks Superintendent of Neighborhood Services</i>	1
4	<i>Arboretum Director</i>	2
5	<i>Golf Director</i>	2
6	<i>Zoo Director</i>	1
7	Property Manager	2
8	<i>Director of Personnel</i>	2
9	Director of Administration and Finance	1
10	<i>Marina Manager</i>	2
11	Capital Division Manager	1
12	<i>Health & Safety Manager</i>	2
13	<i>Public Information Manager</i>	2
14	<i>Assistant Superintendent of Parks/Structural Maintenance</i>	2
15	<i>Assistant Superintendent of Parks</i>	2
16	<i>Assistant Superintendent Recreation</i>	2
17	<i>Assistant Recreation Supervisor</i>	2
18	Principal Recreation Supervisor - <i>Permits and Reservations</i>	2
19	<i>IS Administrator - Supervisor</i>	2
20	Principal Administrative Analyst - <i>Finance</i>	2
21	<i>Principal Administrative Analyst - Purchasing</i>	2
22	Senior Administrative Analyst - <i>Property</i>	2
23	<i>Senior Administrative Analyst - Purchasing</i>	2
24	<i>Architect</i>	2

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1	<i>Planner IV</i>	2
2	<i>Chief Stationary Engineer</i>	2
3	<i>Principal Engineer</i>	2
4	Commission Liaison	2
5	<i>Project Manager III</i>	2
6	<i>Director of Operations</i>	1
7	<i>Director of Partnership and Resources Development</i>	1

SEC. 3.1-395. REDEVELOPMENT AGENCY.

(a) **Disclosure Category 2.** Persons in this category shall disclose all sources of income, investments, and all business positions in which the person in such designated position designated employee is a director, officer, partner, trustee, employee, or holds any position of management.

(b) **Disclosure Category 3.** Persons in this category shall disclose all income from and investments in businesses that manufacture or sell supplies of the type utilized by the Agency.

(c) **Disclosure Category 4.** Persons in this category shall disclose all investments in and income from all banks, savings and loan associations, insurance companies, investment companies, stockbrokers, title companies, financial consultants, data processing firms or consultants, but shall not include personal checking or savings accounts or certificates of deposit.

(d) **Disclosure Category 5.** Persons in this category who come within the definition of consultant as stated below shall disclose all sources of income, interests in real property and investments.

~~"Consultant" means any natural person who provides, under contract, information, advice, recommendation or counsel to the Agency, provided, however, that "consultant" shall not include a person who:~~

~~(A) Conducts research and arrives at conclusions with respect to his or her rendition of information, advice, recommendation or counsel independent of the control and direction of the Agency or of any Agency official, other than normal contract monitoring; and~~

~~(B) Possesses no authority with respect to any Agency decision beyond the rendition of information, advice, recommendation or counsel.~~

Designated Positions	Disclosure Categories
<u>Accountant III</u>	<u>4</u>
<u>Accountant IV</u>	<u>4</u>
Accounting Supervisor	1
<u>Accountant III</u>	<u>1</u>
Administrative Services Manager	1
Agency General Counsel	1
<u>Architect</u>	<u>1</u>
<u>Architectural Associate</u>	<u>1</u>
Architecture and Engineering Supervisor	1
<u>Assistant Deputy Executive Director</u>	<u>1</u>
Assistant Development Specialist	1
Assistant Harbormaster	2
Assistant Project Manager	1
<u>Associate Civil Engineer</u>	<u>1</u>
<u>Building/Construction Inspector I</u>	<u>1</u>

1	<u>Building/Construction Inspector II</u>	<u>1</u>
2	Citizens Advisory Committee <u>Member</u>	1
3	Civil Engineer (Project Engineers)	1
4	Commissioners	1
5	Commission Secretary	1
6	Construction Coordinator	1
7	Consultants**	5
8	<u>Contract Administration Specialist</u>	<u>1</u>
9	Contract Compliance Specialist I	1
10	Contract Compliance Specialist II	1
11	Contract Compliance Specialist III	1
12	<u>Contract Compliance Supervisor</u>	<u>1</u>
13	Contract and Fiscal Services Manager	1
14	Deputy Executive Director	1
15	Deputy General Counsel	1
16	Development Services Manager	1
17	Development Specialist	1
18	Environmental Assessment Specialist	1
19	Executive Director	1
20	Financial Systems Accountant	4
21	<u>Harbormaster</u>	<u>1</u>
22	Housing Construction Specialist	1
23	Human Resources Manager	1
24	Information Systems Supervisor	3, 4
25		

1	~~Management Assistant II~~	~~1~~
2	Management Assistant III	~~14~~
3	~~Personnel Analyst~~	~~2~~
4	Planning Supervisor	1
5	Program Manager	1
6	Project Area Committee Members	1
7	Project Manager	1
8	~~Property Management Specialist~~	~~1~~
9	Property Management Supervisor	1
10	~~Property Management Specialist~~	~~1~~
11	Public Affairs Officer	1
12	~~Purchasing Assistant~~	~~3~~
13	Records and Information Supervisor	2
14	Relocation Supervisor	1
15	Senior Architect	1
16	Senior Attorney	1
17	Senior Civil Engineer	1
18	Senior Development Specialist	1
19	Senior Development Specialist (Supervisor)	1
20	Senior Financial Analyst	1
21	~~Senior Landscape Architect~~	~~1~~
22	~~Senior Personnel Analyst~~	~~1~~
23	Senior Planner	1
24	Senior Project Manager	1
25		

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1	~~Staff Associate III~~	~~1~~
2	Staff Associate IV	1
3	Staff Associate V	1
4	Staff Associate VI	1
5	Staff Attorney I	1
6	Staff Attorney II	1

~~*The titles of the positions listed in this section are occasionally changed and any such revised position title shall be deemed to be substituted into this section subject to the same disclosure category applicable to the former position title. While the listed titles of the designated positions are approved classification titles, occasionally titles are changed or working titles are assigned. In these events, the new titles will be substituted into this Code with the same disclosure categories, as were applicable to the old titles.~~

~~** With respect to consultants, the Executive Director may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements described in this Section. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the disclosure requirements. The Executive Director shall forward a copy of this determination to the Clerk of the Board of Supervisors. Nothing herein excuses any consultant from any other provisions of this Conflict of Interest Code.~~

SEC. 3.1-420. SAN FRANCISCO UNIFIED SCHOOL DISTRICT.

~~(a) Disclosure Category 1. Real Property. Persons in this category shall disclose the following:~~

1 (1) *Interests in real property which is located in whole or in part either:*

2 (A) *Within the boundaries of the District; or*

3 (B) *Within two miles of the boundaries of the District, including any leasehold, beneficial or*
4 *ownership interest or option to acquire such interest in real property, if the fair market value of the*
5 *interest is greater than \$1,000.*

6 *Interests in real property of an individual include a business entity's share of interest in real*
7 *property of any business entity or trust in which the designated employee or his or her spouse owns*
8 *directly, indirectly or beneficially, a 10 percent interest or greater.*

9 (2) *Investments in or income from business entities which are contractors or subcontractors*
10 *which are or have been within the previous two-year period engaged in the performances of building*
11 *construction or design within the District.*

12 (3) *Investments in or income from business entities engaged in the acquisition or disposal of*
13 *real property within the jurisdiction.*

14 *Investment includes any financial interest a pro rata share of investments of any business entity*
15 *or trust in which the designated employee or his or her spouse owns, directly, indirectly or beneficially,*
16 *a 10 percent interest or greater.*

17 *Investment does not include a time or demand deposit in a financial institution, shares in a*
18 *credit union, any insurance policy or any bond or other debt instrument issued by any government or*
19 *government agency. No investment or interest in real property is reportable unless its fair market value*
20 *exceeds \$1,000. No source of income is reportable unless the income received by or promised to the*
21 *public official aggregates \$250 in value during the preceding 12-month reporting period.*

22 (ab) **Disclosure Category 2. Supplies and Equipment.** *Persons in this category shall*
23 *disclose investments in or income from business entities which manufacture or sell supplies, books,*
24 *machinery or equipment of the type utilized by the department for which the designated employee is*

1 manager or director. Investments include interests described in Category 1. Persons in this category
2 shall disclose income, investments, and all business positions in any business entity which does
3 business in this jurisdiction.

4 (be) Disclosure Category 3. Work or Services. Persons in this category shall disclose
5 investments in or income from business entities which are contractors or subcontractors engaged in the
6 performance of work services of the type utilized by the department for which the designated employee
7 is manager or director. Investments include the interests described in Category 1. Persons in this
8 category shall disclose all interests in real property, and all income from and investments in business
9 entities which hold interests in real property in this jurisdiction, and all business positions held in such
10 business entities.

11 (c) Disclosure Category 3. Persons in this category shall disclose all interests in real property,
12 and all income from and investments in business entities which hold interests in real property in this
13 jurisdiction, and all business positions held in such business entities.

14 (d) Disclosure Category 4. Services and Equipment. Persons in this category shall disclose
15 income, investments and business positions in (1) business entities that manufacture or sell supplies,
16 books, machinery or equipment of the type utilized or purchased by the department for which the
17 designated employee is manager or director; or (2) business entities that are contractors or
18 subcontractors engaged in the performance of work services of the type utilized or purchased by the
19 department for which the designated employee is manager or director.

20 Designated Positions

Disclosure Categories

21 <u>Members of the Board of Education</u>	<u>1, 2, 3</u>
22 <u>Superintendent of Schools</u>	<u>1, 2, 3</u>
23 <u>Administrative Analyst - Bond Program</u>	<u>4</u>
24 <u>Architectural Assistant II - Telecom Manager</u>	<u>4</u>

1	<u>Architectural Associate I - Design and Construction</u>	4
2	<u>Area Supervisor - Custodial Services</u>	4
3	<u>Artistic Director VAP/HS</u>	4
4	<u>Assistant Fiscal Officer - Bond Program Manager</u>	1
5	<u>Assistant Materials Coordinator - Warehouse Supervisor</u>	4
6	Assistant Superintendent	1, 2, 3
7	<u>Special Assistant to the Superintendent</u>	1, 2, 3
8	<u>Executive Assistant to the Superintendent</u>	1, 2, 3
9	<u>Chief of Staff</u>	1, 2, 3
10	<u>Chief Operating Officer</u>	1, 2, 3
11	<u>Assistant Superintendent</u>	1
12	<u>Associate Engineer - Facilities Project Manager</u>	4
13	<u>Associate Superintendent</u>	1
14	<u>Building Inspector</u>	4
15	<u>Carpenter Supervisor I - Carpenter Shop Supervisors</u>	4
16	<u>Chief Academic Officer</u>	1
17	<u>Chief Facilities Officer</u>	1
18	Chief Financial Officer/Director of Business Services	1, 2, 3
19	<u>Chief General Counsel</u>	1
20	<u>Chief Administrative Officer</u>	1, 2, 3
21	<u>Chief Academic Officer</u>	1, 2, 3
22	<u>Chief of Development Officer</u>	1, 2, 3
23	Chief Information Officer	1, 2, 3
24	<u>Chief of Policy and Planning</u>	1, 2, 3
25		

1	<i>Chief of School Operations</i>	<i>1, 2, 3</i>
2	<i>Bond Program Manager</i>	<i>1, 2, 3</i>
3	<i>Director, Budget Services</i>	<i>1, 2, 3</i>
4	<i>Director, Transportation</i>	<i>2, 3</i>
5	<i>Director, Food Services</i>	<i>2, 3</i>
6	<i>Director, Buildings and Grounds</i>	<i>1, 2, 3</i>
7	<i>Director (Certificated)</i>	<i>1, 2, 3</i>
8	<i>Director, Facilities Planning</i>	<i>1, 2, 3</i>
9	<i>Director, Custodial Services</i>	<i>2, 3</i>
10	<i>Executive Director, Facilities</i>	<i>1, 2, 3</i>
11	<i>Executive Director, Certificated</i>	<i>1, 2, 3</i>
12	<i>Chief Operating Officer - Senior Chief of Policy & Operations</i>	<i>1</i>
13	<i>Chief Stationary Engineer - Engineer Shop Supervisor</i>	<i>4</i>
14	<i>Chief, Administrative Services</i>	<i>1</i>
15	<i>Director - County and Court School Operations</i>	<i>3, 4</i>
16	<i>Director - Multilingual Programs</i>	<i>4</i>
17	<i>Director - Parent Relations</i>	<i>4</i>
18	<i>Director - School Health Programs Department</i>	<i>4</i>
19	<i>Director - Student Applications and Services</i>	<i>4</i>
20	<i>Director - Student Nutrition Services</i>	<i>4</i>
21	<i>Director - Transportation Department</i>	<i>3, 4</i>
22	<i>Director of Buildings and Grounds</i>	<i>3, 4</i>
23	<i>Director of Custodial Services</i>	<i>4</i>
24	<i>Director of Emergency Preparedness</i>	<i>4</i>
25		

1	<u>Director of Environmental Health</u>	<u>3, 4</u>
2	<u>Director of Facilities, Design & Construction</u>	<u>1</u>
3	<u>Educational Policy Analyst - Coordinator of Secure Our</u>	
4	<u>Schools Initiative</u>	<u>4</u>
5	<u>Educational Policy Analyst -- Coordinator of Truancy Programs</u>	<u>4</u>
6	<u>Educational Policy Analyst - Director of Public Communications</u>	<u>4</u>
7	<u>Educational Policy Analyst - Policy and Planning</u>	<u>1</u>
8	<u>Educational Policy Analyst - State and Federal</u>	<u>2</u>
9	<u>Educational Policy Analyst - Student Support Services</u>	<u>4</u>
10	<u>Educational Policy Analyst - Superintendent's Office</u>	<u>1</u>
11	<u>Electrician Supervisor</u>	<u>4</u>
12	<u>Executive Director - Child Development Program</u>	<u>1</u>
13	Executive Director, Educational Placement Center	<u>1, 2, 3, 4</u>
14	<u>Executive Director -- Labor Negotiations</u>	<u>2</u>
15	<u>Executive Director -- Maintenance and Operations</u>	<u>3, 4</u>
16	<u>Executive Director -- Parent Relations</u>	<u>4</u>
17	<u>Executive Director -- Program Evaluations and Research</u>	<u>3, 4</u>
18	<u>Executive Director -- Pupil Services</u>	<u>3, 4</u>
19	<u>Executive Director -- Reform and Accountability</u>	<u>4</u>
20	<u>Executive Director -- Special Education</u>	<u>3, 4</u>
21	<u>Executive Director -- Teaching and Learning</u>	<u>4</u>
22	<u>Executive Director of School Safety</u>	<u>3, 4</u>
23	<u>Program Director</u>	<u>1, 2, 3</u>
24	<u>Coordinator (Certificated)</u>	<u>1, 2, 3</u>
25		

1	<i>Manager, Payroll Control</i>	<i>1, 2, 3</i>
2	<i>Manager, Data Processing</i>	<i>1, 2, 3</i>
3	<i>Project Manager II & III</i>	<i>1, 2, 3</i>
4	<i>Principal Administrative Analyst</i>	<i>1, 2, 3</i>
5	<i>Head Accountant</i>	<i>1, 2, 3</i>
6	<i>Principal Accountant</i>	<i>1, 2, 3</i>
7	<i>Supervising Purchaser</i>	<i>1, 2, 3</i>
8	<i>Senior Purchaser</i>	<i>1, 2, 3</i>
9	<i>Purchaser</i>	<i>1, 2, 3</i>
10	<i>Architect</i>	<i>3</i>
11	General Manager, KALW	<i>2, 3</i>
12	<i>General Services Manager - Assistant Director of Custodial Services</i>	<i>4</i>
13	<i>Glazier Supervisor I</i>	<i>4</i>
14	<i>Information System Engineer Assistant - Network Operations Manager</i>	<i>4</i>
15	<i>Information Systems Administrator Supervisor - Director</i>	
16	<i>of Infrastructure</i>	<i>4</i>
17	<i>Information Systems Business Analyst Principal</i>	<i>4</i>
18	<i>Labor Compliance Officer</i>	<i>3, 4</i>
19	<i>Locksmith Supervisor</i>	<i>4</i>
20	<i>Mail/Reproduction Supervisor</i>	<i>4</i>
21	<i>Maintenance Manager - Buildings and Grounds</i>	<i>3, 4</i>
22	<i>Manager - Office of Health and Safety</i>	<i>4</i>
23	<i>Member, Board of Education</i>	<i>1</i>
24	<i>Painter Supervisor</i>	<i>4</i>
25		

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1	<u>Payroll Director</u>	<u>4</u>
2	<u>Payroll Supervisor</u>	<u>4</u>
3	<u>Principal Administrative Analyst - Contracts Compliance</u>	<u>1</u>
4	<u>Principal Attorney Civil & Criminal</u>	<u>1</u>
5	<u>Program Administrator - Teacher Support and Development</u>	<u>4</u>
6	<u>Program Administrator - Teaching and Learning</u>	<u>4</u>
7	<u>Project Manager II - Bond Program</u>	<u>4</u>
8	<u>Purchaser</u>	<u>4</u>
9	<u>School Custodial Supervisor</u>	<u>4</u>
10	<u>School Facilities Planner</u>	<u>3,4</u>
11	<u>School Principal</u>	<u>4</u>
12	<u>Senior Attorney Civil & Criminal</u>	<u>1</u>
13	<u>Senior Management Assistant - Real Estate and Auxiliary Services</u>	<u>3</u>
14	<u>Sheet Metal Supervisor</u>	<u>4</u>
15	<u>Site Manager - Child Development Center</u>	<u>4</u>
16	<u>Special Assistant X - Real Estate and Auxiliary Services</u>	<u>4</u>
17	<u>Special Assistant XII - Pupil Services, Homeless Education</u>	<u>4</u>
18	<u>Special Assistant XIII - Athletic Office</u>	<u>4</u>
19	<u>Special Assistant XIX - Director of Fiscal Services</u>	<u>2</u>
20	<u>Special Assistant XVI - State Funds</u>	<u>3</u>
21	<u>Special Assistant XVII - Director of Budget Services</u>	<u>4</u>
22	<u>Special Assistant XVII - Director of Real Estate</u>	<u>3,4</u>
23	<u>Special Assistant XVII - Director of Risk Management</u>	<u>4</u>
24	<u>Superintendent</u>	<u>1</u>
25		

<i>Supervising Purchaser</i>	<i>4</i>
<i>Supervisor - Achievement Assessments</i>	<i>4</i>
<i>Supervisor - GATE/Evening Prog./Summer School</i>	<i>4</i>
<i>Supervisor - Library, Textbooks & Media Services</i>	<i>4</i>
<i>Supervisor - School-to-Career</i>	<i>4</i>
<i>Supervisor - Screening and Assessment</i>	<i>4</i>
<i>Supervisor - Special Education</i>	<i>4</i>
<i>Supervisor - Translation</i>	<i>4</i>
<i>Warehouse Supervisor</i>	<i>4</i>

SEC. 3.1-435. TRANSPORTATION AUTHORITY, SAN FRANCISCO COUNTY.

Designated Positions

Disclosure Categories

Executive Director	<i>All-1</i>
Chief Deputy Director <i>for Programming and Legislation</i>	<i>1</i>
Deputy Director for Finance & Administration	<i>1</i>
Deputy Director for Capital Projects	<i>1</i>
Deputy Director for Planning	<i>1</i>
<i>Manager of Capital Project Controls</i>	
<i>Senior Engineer</i>	
<i>Assistant Engineer</i>	
<i>Principal Planner</i>	
<i>Senior Planner</i>	
<i>Planner</i>	

1 SEC. 3.1-440. TREASURE ISLAND DEVELOPMENT AUTHORITY.

2 Designated Positions Disclosure Categories

3 Members, Board of Directors 1

4 ~~Executive Director~~ 1

5
6 ** Other staff for the Treasure Island Development Authority file pursuant to Campaign and*
7 *Governmental Conduct Code Section 3.1-395.*
8

9 SEC. 3.1-445. TREASURER-TAX COLLECTOR

10 (a) **Disclosure Category 2.** Persons in this category shall disclose ~~all investments in~~
11 ~~any business entity and income from any source which~~ (a) investments, business positions, real
12 property and sources of income if any of these financial interests are subject to the regulatory, permit
13 or licensing authority of the Treasurer-Tax Collector; and (b) investments and business positions in
14 and sources of income from a person or an entity that ~~which~~ provides services, supplies, materials,
15 machinery or equipment to the Treasurer-Tax Collector Department, or ~~that~~ that which may
16 foreseeably do so in the future, or ~~that~~ that which has done so within two years prior to any time
17 period covered by a statement of economic interest.

18 (b) **Disclosure Category 3.** Persons in this category shall disclose investments, business
19 positions, real property and sources of income if any of these financial interests are subject to the
20 regulatory, permit or licensing authority of the Treasurer-Tax Collector.

21 Designated Positions Disclosure Categories

22 Treasurer See Sec. 3.1-500

23 Chief Assistant Treasurer See Sec. 3.1-500

24 Cash Management and Investment Officer See Sec. 3.1-500

25
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1	Assistant Cash Management and Investment Officer	See Sec. 3.1-500
2	<u>Account Clerk</u>	<u>2</u>
3	<u>Account Intern</u>	<u>2</u>
4	<u>Accountant</u>	<u>2</u>
5	<u>Attorney</u>	<u>1</u>
6	<u>Chief Clerk</u>	<u>2</u>
7	<u>Commercial Division Assistant Supervisor</u>	<u>2</u>
8	<u>Head Administrative Analyst (Business Tax)</u>	<u>2</u>
9	<u>Head Accountant (Administration)</u>	<u>2</u>
10	<u>Investigator</u>	<u>2</u>
11	<u>IS Engineer—Senior</u>	<u>2</u>
12	<u>Management Assistant</u>	<u>2</u>
13	<u>Tax Administrator</u>	<u>1</u>
14	<u>Deputy Tax Administrator</u>	<u>1</u>
15	<u>Tax Collector Attorney</u>	<u>1</u>
16	<u>Chief Personal Property Auditor</u>	<u>1</u>
17	<u>Director, Bureau of Delinquent Revenue (Manager III)</u>	<u>1</u>
18	<u>Principal Investigator</u>	<u>1</u>
19	<u>Director, Real Estate Division (Manager I)</u>	<u>1</u>
20	<u>Senior Administrative Analyst</u>	<u>2</u>
21	<u>Director, Taxpayers Assistance Unit (TPA)</u>	<u>2</u>
22	Manager I	<u>2</u>
23	<u>Director, Business Tax (Manager V)</u>	<u>1</u>
24	<u>Commercial Division Supervisor</u>	<u>2</u>
25		

1	<i>Special Assistant XII</i>	2
2	<i>Manager II</i>	1
3	Manager III	1
4	<i>Manager IV</i>	1
5	<i>Manager V</i>	1
6	<i>Manager VI</i>	1
7	<i>Manager VII</i>	1
8	<i>Personal Property Auditor</i>	2
9	<i>Principal Account Clerk</i>	2
10	<i>Principal Accountant</i>	2
11	<i>Principal Administrative Analyst</i>	2
12	<i>Principal Investigator</i>	1
13	<i>Principal Personal Property Auditor</i>	2
14	<i>Senior Account Clerk</i>	2
15	<i>Senior Accountant</i>	2
16	<i>Senior Administrative Analyst</i>	2
17	<i>Senior Collections Officer</i>	2
18	<i>Senior Investigator</i>	2
19	<i>Senior Management Assistant</i>	2
20	<i>Senior Property Auditor</i>	2
21	<i>IS Engineer - Senior</i>	2
22	<i>Tax Collector Attorney</i>	1

SEC. 3.1-500. POSITIONS DESIGNATED BY STATE - FILING OFFICIAL.

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1 Members of the Board of Supervisors, District Attorney, Mayor, City Attorney,
2 Treasurer, members of the Planning Commission, public officials who manage public
3 investments, *and candidates for any of these offices at any election, and any other officer or*
4 *candidate for office* who may be subject to the provisions of Government Code Section 87200,
5 shall file one original of all statements of economic interests with the Ethics Commission, the
6 filing official, who shall make and retain a copy and forward the original to the Fair Political
7 Practices Commission which shall be the filing officer.

8
9 Section 2. The San Francisco Campaign and Governmental Conduct Code is hereby
10 amended by deleting sections 3.1-109, 3.1-168, 3.1-170, 3.1-220, 3.1-222, 3.1-290, 3.1-400,
11 3.1-423, and 3.1-430 to read as follows:

12 ~~SEC. 3.1-109. ADMINISTRATIVE SERVICES, DEPARTMENT OF,~~

13 ~~(a) Disclosure Category 2. Persons in this category shall disclose all interests in real property.~~

14 ~~(b) Disclosure Category 3. Persons in this category shall disclose all investments and business~~
15 ~~positions in business entities, interests in real property, and income from any source that is subject to~~
16 ~~the regulatory, permit or licensing authority of the Department of Administrative Services.~~

17 ~~(c) Disclosure Category 4. Persons in this category shall disclose all investments and business~~
18 ~~positions in business entities and income from any source which provides, or contracts with the City~~
19 ~~and County of San Francisco and its Purchasing Department to provide commodities or services to the~~
20 ~~City and County of San Francisco, or has provided commodities or services to the City and County of~~
21 ~~San Francisco within the last two years.~~

22 ~~(d) Disclosure Category 5. Persons in this category shall disclose all investments and business~~
23 ~~positions in business entities and income from any source which provides, or contracts with the City~~
24 ~~and County of San Francisco to provide, or has provided within the last two years, commodities or~~
25

services to either the Division of the Purchasing Department to which the person is assigned, or the Department (other than the Purchasing Department), to which the person is assigned.

Designated Positions _____ **Disclosure Categories**

Main Office

Director, Administrative Services _____ 1

Deputy Director, Administrative Services _____ 1

Assistant to Director _____ 1

Director of Information Technology _____ 1

Risk Manager _____ 1

Deputy Risk Manager _____ 1

Animal Control Department

Executive Director _____ 1

Deputy Director _____ 1

Central Shops

Supervising Parts Storekeeper _____ 5

Principal Parts Storekeeper _____ 5

Senior Parts Storekeeper _____ 5

Parts Storekeeper _____ 5

Auto Serviceworker _____ 5

Materials Coordinator _____ 5

Mechanic Supervisor _____ 5

Automotive Machinist Supervisor _____ 5

1 *Maintenance Machinist Supervisor* 5

2 *Manager, Fleet Services* 5

3 *Assistant Manager, Fleet Services* 5

4
5 ***Convention Facilities***

6 *Director* 3

7 *Deputy Director* 3

8 *City Hall Building Manager* 1

9 *City Hall Chief Engineer* 5

10 *City Hall Custodial Services Manager* 5

11 *Senior Event Manager* 5

12 *Event Manager* 5

13
14 ***County Clerk***

15 *County Clerk* 1

16 *Director* 1

17
18 ***Grants for the Arts***

19 *Director* 1

20 *Assistant Director* 1

21
22 ***Mayor's Office on Disability***

23 *Director* 1

24 *Deputy Director* 1

1	Assistant Director	1
2		
3	Medical Examiner	
4	Chief Medical Examiner	1
5	Administrator	1
6		
7	Office of Contract Administration	
8	Director of Purchasing	1
9	Assistant Director	2, 4
10	Supervising Purchaser	4
11	Senior Purchaser	4
12	Purchaser	4
13	Assistant Purchaser	4
14	MCO/Health Manager	3
15	Labor Standards Manager	3
16	Contract Compliance Officer	4
17	Senior Storekeeper	5
18	Storekeeper	5
19		
20	Real Estate Department	
21	Director of Property	1
22	Assistant Director of Property	1
23	Principal Real Property Officer	1
24	Senior Real Property Officer	1
25		

1 *Real Property Officer* _____ 1

2 *Farmers Market Manager* _____ 1

3 *Head Accountant* _____ 1

4
5 ***Reproduction and Mail Services***

6 *Reproduction Manager* _____ 5

7 *Assistant Reproduction Manager* _____ 5

8 *City Planning Graphics Supervisor* _____ 5

9
10 ***SEC. 3.1-168. CITIZEN'S COMMITTEE ON COMMUNITY DEVELOPMENT.***

11 ***Designated Positions*** _____ ***Disclosure Categories***

12 *Committee Member* _____ 1

13
14 ***SEC. 3.1-170. CITY ADMINISTRATOR.***

15 ***Disclosure Category 2. Persons in this category shall disclose all investments and business***
16 ***positions in business entities and income from any source which provides, or contracts with the City***
17 ***and County of San Francisco and its City Administrator to provide, services, supplies; materials;***
18 ***machinery or equipment to the City Administrator.***

19 ***Designated Positions*** _____ ***Disclosure Categories***

20 ***Main Office***

21 *City Administrator* _____ 1

22 *Assistant to City Administrator VIII* _____ 1

23 *Project Manager, Special Assistant XIII* _____ 2

Immigrant Rights Commission

Commission Member _____ ***1***

Executive Director _____ ***1***

SEC. 3.1-220. EMERGENCY SERVICES.

Designated Positions _____ ***Disclosure Categories***

Director of Emergency Services _____ ***1***

SEC. 3.1-222. ENTERTAINMENT COMMISSION.

Designated Positions _____ ***Disclosure Categories***

Commissioner _____ ***1***

Executive Director _____ ***1***

Assistant Executive Director _____ ***1***

Permit Administrator _____ ***1***

Sound Technician _____ ***1***

SEC. 3.1-290. JOINT POWERS FINANCING AUTHORITY.

Disclosure Category 2. Persons in this category shall disclose all income from, investments in, and their status as a director, officer, partner, trustee, employee or holder of a management position in any business entity engaged in investment banking.

Designated Positions _____ ***Disclosure Categories***

Member, Authority Board _____ ***2***

SEC. 3.1-400. RELOCATION APPEALS BOARD.

1 *Designated Positions* _____ *Disclosure Categories*

2 *Board Member* _____ *I*

3 *Executive Director* _____ *I*

4
5 ***SEC. 3.1 423. SMALL BUSINESS REVOLVING LOAN FUND COMMITTEE.***

6 *Designated Positions* _____ *Disclosure Categories*

7 *Committee Member* _____ *I*

8
9 ***SEC. 3.1 430. TELECOMMUNICATIONS AND INFORMATION SERVICES, DEPARTMENT***
10 ***OF.***

11 *Disclosure Category 2. Persons in this category shall disclose all investments and business*
12 *positions in business entities and income from any source which provides, or contracts with the City*
13 *and County of San Francisco and its Department of Telecommunications and Information Services to*
14 *provide services, supplies, materials, machinery or equipment to the Department of*
15 *Telecommunications and Information Services.*

16 *Designated Positions* _____ *Disclosure Categories*

17 *Member, Telecommunications Commission* _____ *I*

18 *Executive Director* _____ *I*

19 *Chief Administrative Officer* _____ *I*

20 *Chief Technology Officer* _____ *I*

21 *Chief Operations Officer* _____ *I*

22 *Director of Technology Operations Public Safety Services* _____ *I*

23 *Financial Services Manager* _____ *I*

24 *Procurement Manager* _____ *I*

1	Network Technology Manager	1
2	Enterprise Services Manager	1
3	Contracts Administrator	2
4	Senior Policy Analyst	1

Section 3. The San Francisco Campaign and Governmental Conduct Code is hereby amended by adding Sections 3.1-108, 3.1-193, 3.1-251, 3.1-253, and 3.1-457 to read as follows:

SEC. 3.1-108. CONSULTANTS.

Unless otherwise stated in this Chapter, consultants for departments and agencies covered by this Chapter shall be deemed designated employees for the purposes of this Chapter and shall disclose economic interests in Disclosure Category 1; provided, however, that the director of the department or agency for which a consultant works may determine in writing that the consultant is not required to comply with the disclosure requirements described in this section or is required to disclose economic interests in a disclosure category other than Disclosure Category 1 because the consultant performs a range of duties that are limited in scope. Such a determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination shall be a public record and shall be retained for public inspection in the same manner and location as statements filed under this Chapter.

SEC. 3.1-193. COMMUNITY DEVELOPMENT, MAYOR'S OFFICE OF.

<u>Designated Positions</u>	<u>Disclosure Categories</u>
<u>Citizen's Committee on Community Development Members</u>	<u>1</u>
<u>Mayoral Staff</u>	<u>1</u>

1 Relocation Appeals Board Members 1

2 SOMA Community Stabilization Fund Community Advisory

3 Committee Members 1

4 Small Business Revolving Loan Fund Committee Members 1

5
6 **SEC. 3.1-251. GENERAL SERVICES AGENCY – CITY ADMINISTRATOR.**

7 (a) Disclosure Category 2. Persons in this category shall disclose all interests in real property.

8 (b) Disclosure Category 3. Persons in this category shall disclose all investments and business
9 positions in business entities, interests in real property, and income from any source that is subject to
10 the regulatory, permit or licensing authority of the General Services Agency.

11 (c) Disclosure Category 4. Persons in this category shall disclose all investments and business
12 positions in business entities and income from any source which provides, or contracts with the City
13 and County of San Francisco and its Purchasing Department to provide, or has provided within the last
14 two years, commodities or services to the City and County of San Francisco.

15 (d) Disclosure Category 5. Persons in this category shall disclose all investments and business
16 positions in business entities and income from any source which provides, or contracts with the City
17 and County of San Francisco to provide, or has provided within the last two years, commodities or
18 services to either the Division of the Purchasing Department to which the person is assigned or the
19 Department (other than the Purchasing Department) to which the person is assigned.

20 Designated Positions Disclosure Categories

21 **Main Office**

22 City Administrator 1

23 Assistant City Administrator 1

24 Deputy Director, General Services Agency 1

1	<u>Director of Information Technology</u>	<u>1</u>
2		
3	<u>Animal Control Department</u>	
4	<u>Executive Director</u>	<u>1</u>
5	<u>Deputy Director</u>	<u>1</u>
6		
7	<u>Central Shops</u>	
8	<u>Principal Parts Storekeeper</u>	<u>5</u>
9	<u>Parts Storekeeper</u>	<u>5</u>
10	<u>Auto Service Worker</u>	<u>5</u>
11	<u>Automotive Mechanic Supervisor</u>	<u>5</u>
12	<u>Automotive Machinist Supervisor</u>	<u>5</u>
13	<u>Maintenance Machinist Supervisor</u>	<u>5</u>
14	<u>Manager, Fleet Services</u>	<u>5</u>
15	<u>Assistant Manager, Fleet Services</u>	<u>5</u>
16		
17	<u>County Clerk</u>	
18	<u>County Clerk</u>	<u>1</u>
19	<u>Director</u>	<u>1</u>
20		
21	<u>Entertainment Commission</u>	
22	<u>Commissioner</u>	<u>1</u>
23	<u>Executive Director</u>	<u>1</u>
24	<u>Assistant Executive Director</u>	<u>1</u>
25		

1 Permit Administrator 1

2 Sound Technician 1

3
4 Grants for the Arts

5 Director 1

6 Assistant Director 1

7
8 Immigrant Rights Commission

9 Commission Member 1

10 Executive Director 1

11
12 Mayor's Office on Disability

13 Director 1

14 Deputy Director 1

15
16 Medical Examiner

17 Chief Medical Examiner 1

18 Administrator 1

19
20 Office of Contract Administration

21 Director of Purchasing 1

22 Assistant Director 2, 4

23 Supervising Purchaser 4

24 Senior Purchaser 4

1	<u>Purchaser</u>	<u>4</u>
2	<u>Assistant Purchaser</u>	<u>4</u>
3	<u>MCO/Health Manager</u>	<u>3</u>
4	<u>Labor Standards Manager</u>	<u>3</u>
5	<u>Contract Compliance Officer</u>	<u>4</u>
6	<u>Senior Storekeeper</u>	<u>5</u>
7	<u>Storekeeper</u>	<u>5</u>
8		
9	<u>Office of Labor Standards Enforcement</u>	
10	<u>Manager</u>	<u>1</u>
11	<u>Contract Compliance Officer I</u>	<u>1</u>
12	<u>Contract Compliance Officer II</u>	<u>1</u>
13		
14	<u>Office of Public Finance</u>	
15	<u>Director</u>	<u>1</u>
16	<u>Bond Associate</u>	<u>1</u>
17	<u>Compliance and Administrative Officer</u>	<u>1</u>
18		
19	<u>Property Management and Convention Facilities</u>	
20	<u>Director</u>	<u>1</u>
21	<u>City Hall Building General Manager</u>	<u>1</u>
22	<u>City Hall Chief Engineer</u>	<u>1</u>
23	<u>City Hall Custodial Services Manager</u>	<u>1</u>
24	<u>City Hall Building Services Manager</u>	<u>1</u>

25

Clerk of the Board
BOARD OF SUPERVISORS

1	<u>City Hall Security Services Manager</u>	<u>1</u>
2	<u>Senior Event Manager</u>	<u>1</u>
3	<u>Special Projects Manager</u>	<u>1</u>
4	<u>Special Projects Assistant Manager</u>	<u>1</u>
5	<u>Convention Facilities Contract Administrator</u>	<u>1</u>
6	<u>Principal Real Property Officer</u>	<u>1</u>
7	<u>Senior Real Property Officer</u>	<u>1</u>
8	<u>Real Property Officer</u>	<u>1</u>
9	<u>Farmers Market Manager</u>	<u>1</u>

Real Estate Division

12	<u>Director of Real Estate</u>	<u>1</u>
13	<u>Assistant Director of Real Estate</u>	<u>1</u>
14	<u>Principal Real Property Officer</u>	<u>1</u>
15	<u>Senior Real Property Officer</u>	<u>1</u>
16	<u>Real Property Officer</u>	<u>1</u>
17	<u>Head Accountant</u>	<u>1</u>

Risk Management Division

20	<u>Risk Manager</u>	<u>1</u>
21	<u>Deputy Risk Manager</u>	<u>1</u>

Reproduction and Mail Services

24	<u>Reproduction Manager</u>	<u>5</u>
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1 Assistant Reproduction Manager 5

2 City Planning Graphics Supervisor 5

3
4 **Treasure Island Operations**

5 Director 1

6 Deputy Director III 1

7 Manager V 1

8 Senior Real Property Officer 1

9
10 **311 Project**

11 Director 1

12 Deputy Director 1

13
14 **SEC. 3.1-253. GENERAL SERVICES AGENCY – TELECOMMUNICATIONS AND**

15 **INFORMATION SERVICES, DEPARTMENT OF.**

16 **Disclosure Category 2. Persons in this category shall disclose all investments and business**
17 **positions in business entities and income from any source which provides, or contracts with the City**
18 **and County of San Francisco and its Department of Telecommunications and Information Services to**
19 **provide services, supplies, materials, machinery or equipment to the Department of**
20 **Telecommunications and Information Services.**

21 **Designated Positions** **Disclosure Categories**

22 Executive Director 1

23 Chief Administrative Officer 1

24 Chief Technology Officer 1

1	<u>Chief Operations Officer</u>	<u>1</u>
2	<u>Financial Services Manager</u>	<u>1</u>
3	<u>Procurement Manager</u>	<u>1</u>
4	<u>Contracts Administrators</u>	<u>1</u>
5	<u>Chief Consulting Officer</u>	<u>1</u>
6	<u>TechConnect Manager</u>	<u>1</u>
7	<u>SFGTV Manager</u>	<u>1</u>
8	<u>Infrastructure Manager</u>	<u>1</u>
9	<u>Production Application Manager</u>	<u>1</u>
10	<u>Architecture Manager</u>	<u>1</u>
11	<u>Communications Manager</u>	<u>1</u>
12	<u>Logistics Manager</u>	<u>1</u>
13	<u>Enterprise Services Manager</u>	<u>1</u>
14	<u>Financial Systems Manager</u>	<u>1</u>
15	<u>Public Safety/JUSTIS Manager</u>	<u>1</u>
16	<u>CRM Manager</u>	<u>1</u>
17	<u>Policy, Planning & Compliance Manager</u>	<u>1</u>
18	<u>Contracts & Procurement Review Manager</u>	<u>1</u>

SEC. 3.1-457. WORKFORCE INVESTMENT BOARD.

Disclosure Category 2. Persons in this category shall disclose all investments and business positions in any business entity, and income from any source, which has submitted a proposal to enter into or which has entered into any contract, subcontract or other financial agreement voted on or

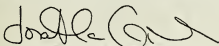
1 otherwise discussed by the Workforce Investment Board during the period covered by the disclosure
2 statement.

3 Designated Positions Disclosure Categories

4 Members, Workforce Investment Board 2

5
6 APPROVED AS TO FORM:
7 DENNIS J. HERRERA, City Attorney

8 By:


9 JONATHAN GIVNER
10 Deputy City Attorney
11
12
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25

Clerk of the Board
BOARD OF SUPERVISORS

Page 103
March 15, 2007



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070122

Date Passed:

Ordinance amending Chapter 1 of Article III of the Campaign and Governmental Conduct Code by amending sections 3.102.5, 3.1-105, 3.1-120, 3.1-145, 3.1-150, 3.1-155, 3.1-160, 3.1-175, 3.1-195, 3.1-205, 3.1-207, 3.1-218, 3.1-230, 3.1-242, 3.1-245, 3.1-252, 3.1-265, 3.1-267, 3.1-270, 3.1-275, 3.1-285, 3.1-312, 3.1-315, 3.1-320, 3.1-325, 3.1-335, 3.1-340, 3.1-345, 3.1-350, 3.1-365, 3.1-375, 3.1-390, 3.1-395, 3.1-420, 3.1-435, 3.1-440, 3.1-445, and 3.1-500; renumbering sections 3.1-252, 3.1-265, and 3.1-375 as sections 3.1-255, 3.1-362 and 3.1-252, respectively; deleting sections 3.1-109, 3.1-168, 3.1-170, 3.1-220, 3.1-222, 3.1-290, 3.1-400, 3.1-423, and 3.1-430; and adding sections 3.1-108, 3.1-193, 3.1-251, 3.1-253, and 3.1-457, all to update the list of designated employees who must file financial disclosure statements, to modify the applicable disclosure categories, and to clarify that consultants for each City agency must file financial disclosures in disclosure category 1 unless the agency's director has indicated otherwise.

February 27, 2007 Board of Supervisors — SUBSTITUTED

March 27, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

April 10, 2007 Board of Supervisors — FINALLY PASSED

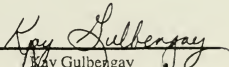
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070122

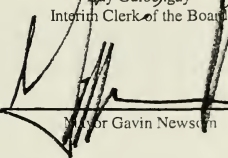
I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on April 10, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

APR 19 2007

Date Approved



Kay Gulbergay
Interim Clerk of the Board



Mayor Gavin Newsom

FILE NO. 070085

ORDINANCE NO. 81-07

[Plastic Bag Reduction Ordinance.]

Ordinance amending the San Francisco Environment Code by adding Chapter 17, sections 1701 through 1709, to: (1) require the use of compostable plastic, recyclable paper and/or reusable checkout bags by grocery stores located in the City and County of San Francisco, and (2) provide penalties for violations.

Note: Additions are single-underline italics Times New Roman;
 deletions are ~~strikethrough italics Times New Roman~~.
 Board amendment additions are double underlined.
 Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

- (a) The City and County of San Francisco has a duty to protect the natural environment, the economy, and the health of its citizens.
- (b) The City and County of San Francisco has adopted citywide goals of 75% landfill diversion by 2010 and zero waste by 2020.
- (c) The expansive usage of plastic shopping bags and their typical disposal creates an impediment to San Francisco's landfill diversion goals.
- (d) Plastic shopping bags are difficult to recycle and currently contaminate material that is processed through San Francisco's recycling and composting programs.
- (e) Plastic shopping bags create significant litter problems in San Francisco's neighborhoods, highlighted by local residents in a series of public meetings held by the Department of the Environment, and also litter community beaches, sewer systems and the San Francisco Bay.
- (f) Plastic ~~grocery~~-shopping bags have significant environmental impacts each year, including the felling of over 14 million trees, and use of over 12 million barrels of oil for

1 bags in the U.S., as well as the death of over 100,000 marine animals from plastic
2 entanglement.

3 (g) Governments in several countries have banned or taken action to discourage
4 the use of plastic bags, including the Republic of Ireland, which has achieved a 90% decrease
5 in shopping bag usage.

6 Section 2. The San Francisco Environmental Code is hereby amended by adding
7 Chapter 17, Section 1701 through 1709, to read as follows:

8 **SEC. 1701. SHORT TITLE.**

9 *This Ordinance shall be entitled the "Plastic Bag Reduction Ordinance."*

10 **SEC. 1702. DEFINITIONS.**

11 *For the purposes of this Ordinance, the following words shall have the following meanings:*

12 (a) *"ASTM Standard" means the American Society for Testing and Materials (ASTM)'s*
13 *International standard D6400 for compostable plastic, as that standard may be amended from time to*
14 *time.*

15 (b) *"Compostable Plastic Bag" means a plastic bag that (1) meets the conforms to*
16 *California labeling law (Public Resources Code Section 42355 et seq.), which requires*
17 *meeting the current ASTM-Standard Specifications -Standards- for compostability; (2) contains*
18 *less than 75% petroleum derived content—the percentage to be reviewed annually with the*
19 *target of achieving no products derived from petroleum by 2010 is certified and labeled as*
20 *meeting the ASTM-Standard by a recognized verification entity such as the Biodegradable*
21 *Product Institute; (3) contains no products derived from genetically modified organisms, and,*
22 *conforms to requirements to ensure that the renewable based product content is maximized*
23 *over time as set forth in Department of the Environment regulations; (4) conforms to*
24 *requirements to ensure that products derived from genetically modified feedstocks are phased*
25

out over time as set forth in Department of the Environment regulations; and (5) displays the word-phrase "Green Cart Compostable" and the word "Reusable" in a highly visible manner on the outside of the bag.

(c) "Checkout bag" means a carryout bag that is provided by a grocery store to a customer at the point of sale.

(d) "Department" means the Department of the Environment.

(e) "Director" means the Director of the Department of the Environment.

(f) "Grocery Store" means a retail establishment located within the geographical limits of the City and County of San Francisco that meets either of the following requirements:
(1) is a full line, self-service retail store supermarket with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items. For purposes of determining which retail establishments are grocery stores supermarkets, the City shall use the annual updates of the Progressive Grocer Marketing Guidebook and any computer printouts developed in conjunction with the guidebook; or

(2) has over 5,000 square feet of retail space that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) is a retail pharmacy with at least five locations under the same ownership within the geographical limits of San Francisco that has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code

(f) "Highly visible manner" means (1) for compostable plastic bags, displaying the word both of the following in green lettering contrasting with the bag's background color that is at least two inches high: (i) the phrase "Green Cart Compostable" either on the front and back

1 of the bag together with a solid green band at least one-half inch thick circling the
2 circumference of the bag, or repeatedly, as a band of text or text alternating with solid stripe,
3 circling the circumference of the bag, and (ii) the word "Reusable" displayed on the front and
4 and/or either back of the bag or repeatedly in a band circling the circumference of the bag in
5 green lettering contrasting with the bag's background color that is at least two inches high;
6 and (2) for recyclable paper bags, displaying the word-words "Reusable" and "Recyclable" on the
7 front or and/or back of the bag in blue lettering contrasting with the bag's background color that is at
8 least two inches high, and (3) for both compostable plastic bags and recyclable paper bags, as
9 otherwise required by Department of the Environment regulation regulations.

10 (g) "Person" means an individual, trust, firm, joint stock company, corporation,
11 cooperative, partnership, or association.

12 (h) "Pharmacy" means a retail use where the profession of pharmacy by a
13 pharmacist licensed by the State of California in accordance with the Business and
14 Professions Code is practiced and where prescriptions (and possibly other merchandise) are
15 offered for sale, excluding such retail uses located inside a hospital.

16 (i) "Recyclable" means material that can be sorted, cleansed, and reconstituted using San
17 Francisco's available recycling collection programs for the purpose of using the altered form in the
18 manufacture of a new product. Recycling does not include burning, incinerating, converting, or
19 otherwise thermally destroying solid waste.

20 (j) "Recyclable Paper Bag" means a paper bag that meets all of the following
21 requirements: (1) contains no old growth fiber, (2) is 100% recyclable overall and contains a minimum
22 of 40% post-consumer recycled content, and (3) displays the words "Reusable" and "Recyclable" in a
23 highly visible manner on the outside of the bag.

1 (k) "Reusable Bag" means a bag with handles that is specifically designed and
2 manufactured for multiple reuse and is either (1) made of cloth or other machine washable fabric,
3 and/or (2) made of durable plastic that is at least 2.25 mils thick.

4 (l) "Grocery Store" means a retail establishment located within the geographical limits
5 of the City and County of San Francisco that meets either of the following requirements:

6 (1) is a full-line, self-service retail store supermarket with gross annual sales of two
7 million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood
8 items and some perishable items. For purposes of determining which retail establishments are grocery
9 stores supermarkets, the City shall use the annual updates of the Progressive Grocer Marketing
10 Guidebook and any computer printouts developed in conjunction with the guidebook, or

11 (2) has over 5,000 square feet of retail space that generates sales or use tax pursuant
12 to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with
13 Section 7200) of Division 2 of the Revenue and Taxation Code) is a retail pharmacy with at
14 least five locations under the same ownership within the geographical limits of San Francisco
15 that has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of
16 Division 2 of the Business and Professions Code

17 **SEC. 1703. MANDATORY USE OF RECYCLABLE AND COMPOSTABLE CHECKOUT BAGS.**

18 (a) All Grocery Stores shall provide only the following as checkout bags to customers:
19 recyclable paper bags, and/or compostable plastic bags, and/or reusable bags.

20 (b) Violation of the requirements set forth in subsection (a) shall subject a Grocery Store to
21 penalties set forth in Section 1705.

22 (c) Nothing in this section shall be read to preclude Grocery Stores from making reusable
23 bags available for sale to customers.

24 **SEC. 1704. IMPLEMENTATION.**

1 The Director, after a public hearing, may adopt and may amend guidelines, rules, regulations
2 and forms to implement and enforce this Ordinance.

3 **SEC. 1705. ENFORCEMENT AND PENALTIES.**

4 (a) Any person who violates this Ordinance shall be guilty of an infraction. If charged as
5 an infraction, upon conviction thereof, said person shall be punished by (1) a fine not exceeding
6 \$100.00 for a first violation, (2) a fine not exceeding \$200.00 for a second violation within the same
7 year, and (3) a fine not exceeding \$500.00 for each additional violation within the same year.

8 (b) In the event that the City adopts an ordinance creating a procedure for the City
9 Administrator to impose and review imposing and reviewing Administrative Penalties pursuant to
10 California Government Code Section 53069.4, the City may impose Administrative Penalties for
11 violation of this Ordinance as follows: (1) in an amount not exceeding \$100.00 for the first violation,
12 (2) in an amount not exceeding \$200.00 for the second violation in the same year, and (3) in an amount
13 not exceeding \$500.00 for each subsequent violation in the same year.

14 (c) The City Attorney may seek legal, injunctive, or other equitable relief to enforce this
15 Ordinance, including without limitation, civil penalties in an amount not exceeding \$200.00 for the first
16 violation, \$400.00 for the second violation, and \$600.00 for each subsequent violation in any given
17 year.

18 (d) The City may not recover both administrative and civil penalties for the same violation.

19 **SEC. 1706. OPERATIVE DATE.**

20 This All of the requirements set forth in this Ordinance shall become operative as to Stores
21 that are supermarkets six (6) months after its effective date. All of the requirements set forth in
22 this Ordinance shall become operative as to Stores that are pharmacies one (1) year after its
23 effective date.

24 **SEC. 1707. SEVERABILITY.**

1 If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held
2 to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision
3 shall not affect the validity of the remaining portions of the Ordinance. The Board of Supervisors
4 hereby declares that it would have passed this Ordinance and each and every section, subsection,
5 sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any
6 portion of this Ordinance would be subsequently declared invalid or unconstitutional.

7 **SEC. 1708. NO CONFLICT WITH FEDERAL OR STATE LAW.**

8 Nothing in this Ordinance shall be interpreted or applied so as to create any requirement,
9 power or duty in conflict with any federal or state law.

10 **SEC. 1709. UNDERTAKING FOR THE GENERAL WELFARE.**

11 In undertaking the implementation of this Ordinance, the City is assuming an undertaking only
12 to promote the general welfare. It is not assuming, nor is it imposing on its officer and employees, an
13 obligation for breach of which it is liable in money damages to any person who claims that such breach
14 proximately caused injury.

15 APPROVED AS TO FORM:
16 DENNIS J. HERRERA, City Attorney

17 By:

18 
19 Catharine Barnes
20 Deputy City Attorney
21
22
23
24
25



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070085

Date Passed:

Ordinance amending the San Francisco Environment Code by adding Chapter 17, sections 1701 through 1709, to: (1) require the use of compostable plastic, recyclable paper and/or reusable checkout bags by stores located in the City and County of San Francisco, and (2) provide penalties for violations.

February 13, 2007 Board of Supervisors — SUBSTITUTED

March 27, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

April 10, 2007 Board of Supervisors — FINALLY PASSED

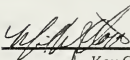
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

File No. 070085

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 10, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

4/20/07

Date Approved


FOR
Kay Gurbengay
Interim Clerk of the Board


Mayor Gavin Newsom

82-07

FILE NO. 070021

ORDINANCE NO.

[Planning Code Amendment—Landmarking Interiors of Publicly-Accessible Buildings.]

Ordinance amending the San Francisco Planning Code by amending Sections 1004, 1005 and 1006.7 to provide for review of proposed changes to interior architectural features of privately-owned landmark buildings where such features are in areas of the landmark that are generally accessible to members of the public; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Note: Additions are single-underline italics Times New Roman; deletions are ~~striketrough-italics Times New Roman~~. Board amendment additions are double underlined. Board amendment deletions are ~~striketrough-normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) On March 1, 2007 at a duly noticed public hearing, the Planning Commission in Resolution No. 17387 found that the proposed Planning Code amendments contained in this ordinance were consistent with the City's General Plan and with Planning Code Section 101.1(b). In addition, the Planning Commission recommended that the Board of Supervisors adopt the proposed Planning Code amendments. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 070021 and is incorporated herein by reference. The Board finds that the proposed Planning Code amendments contained in this ordinance are consistent with the City's General Plan and with Planning Code Section 101.1(b) for the reasons set forth in said Resolution.

(b) Pursuant to Planning Code Section 302, the Board finds that the proposed ordinance will serve the public necessity, convenience and welfare for the reasons set forth in

Supervisor McGoldrick, *Reskin*
BOARD OF SUPERVISORS

DOCUMENTS DEPT.

MAY 22 2007

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1 Planning Commission Resolution No. 17387, which reasons are incorporated
2 herein by reference as though fully set forth.

3 (c) Environmental Findings. The Planning Department has determined that the actions
4 contemplated in this Ordinance are in compliance with the California Environmental Quality
5 Act (California Public Resources Code section 21000 et seq.). Said determination is on file
6 with the Clerk of the Board of Supervisors in File No. 070021 and is incorporated
7 herein by reference.

8
9 Section 2. The San Francisco Planning Code is hereby amended by amending Section
10 1004, to read as follows:

11 SEC. 1004. DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS.

12 (a) Pursuant to the procedures set forth hereinafter:

13 (1) The Board of Supervisors may, by ordinance, designate an individual structure
14 or other feature or an integrated group of structures and features on a single lot or site, having
15 a special character or special historical, architectural or aesthetic interest or value, as a
16 landmark, and shall designate a landmark site for each landmark; and

17 (2) The Board of Supervisors may, by ordinance, designate an area containing a
18 number of structures having a special character or special historical, architectural or aesthetic
19 interest or value, and constituting a distinct section of the City, as a historic district.

20 (b) Each such designating ordinance shall include, or shall incorporate by reference
21 to the pertinent resolution of the Planning Commission then on file with the Clerk of the Board
22 of Supervisors, as though fully set forth in such designating ordinance, the location and
23 boundaries of the landmark site or historic district, a description of the characteristics of the
24 landmark or historic district ~~which~~ that justify its designation, and a description of the particular

1 features that should be preserved. Any such designation shall be in furtherance of and in
2 conformance with the purposes of this Article 10 and the standards set forth herein.

3 (c) The property included in any such designation shall upon designation be subject
4 to the controls and standards set forth in this Article 10. In addition, the said property shall be
5 subject to the following further controls and standards if imposed by the designating
6 ordinance:

7 (1) For a publicly-owned landmark, review of proposed changes ~~in to~~ major
8 significant interior architectural features;

9 *(2) For a privately-owned landmark, review of proposed changes requiring a permit to*
10 *major significant interior architectural features in those areas of the landmark that are generally or*
11 *historically have been accessible to members of the public. The designating ordinance must clearly*
12 *describe each major significant interior architectural feature subject to this restriction.*

13 ~~(2)(3)~~ For a historic district, such further controls and standards as the Board of
14 Supervisors deems necessary or desirable, including but not limited to facade, setback and
15 height controls.

16 ~~(3)(4)~~ For a City-owned park, square, plaza or garden on a landmark site, review of
17 alterations as identified in the designating ordinance.

18 (d) The Board of Supervisors may amend or rescind a designation at any time,
19 subject to all of the procedures set forth in this Article 10 for an original designation; provided,
20 however, that in the event that a landmark is accidentally destroyed or is demolished or
21 removed in conformity with the provisions of Section 1007, or is legally demolished or
22 relocated after compliance has been had with the provisions of Section 1006.2, the Director of
23 Planning may request the Planning Commission to recommend to the Board of Supervisors

1 that the designation be amended or rescinded, and in such case the procedures for an
2 original designation set forth in Sections 1004.1, 1004.2 and 1004.3 hereof shall not apply.

3
4 Section 3. The San Francisco Planning Code is hereby amended by amending Section
5 1005, to read as follows:

6 SEC. 1005. CONFORMITY AND PERMITS.

7 (a) No person shall carry out or cause to be carried out on a designated landmark
8 site or in a designated historic district any construction, alteration, removal or demolition of a
9 structure or any work involving a sign, awning, marquee, canopy, mural or other appendage,
10 for which a City permit is required, except in conformity with the provisions of this Article 10.
11 In addition, no such work shall take place unless all other applicable laws and regulations
12 have been complied with, and any required permit has been issued for said work.

13 (b)

14 (1) Installation of a new general advertising sign is prohibited in any Historic District
15 or on any historic property regulated by this Article 10.

16 (2) The Central Permit Bureau shall not issue, and no other City department or
17 agency shall issue, any permit for construction, alteration, removal or demolition of a structure
18 or any permit for work involving a sign, awning, marquee, canopy, mural or other appendage
19 on a landmark site or in an Historic District, except in conformity with the provisions of this
20 Article 10. In addition, no such permit shall be issued unless all other applicable laws and
21 regulations have been complied with.

22 (c)

23 (1) Where so provided in the designating ordinance for a historic district, any or all
24 exterior changes visible from a public street or other public place shall require approval in
25

1 accordance with the provisions of this Article 10, regardless of whether or not a City permit is
2 required for such exterior changes. Such exterior changes may include, but shall not be
3 limited to, painting and repainting; landscaping; fencing; and installation of lighting fixtures and
4 other building appendages.

5 (2) The addition of a mural to any landmark or contributory structure in a historic
6 district shall require compliance with the provisions of this Article 10, regardless of whether or
7 not a City permit is required for the mural.

8 (3) Alterations to City-owned parks, squares, plazas or gardens on a landmark site,
9 where the designating ordinance identifies such alterations, shall require approval in
10 accordance with the provisions of this Article 10, regardless of whether or not a City permit is
11 required.

12 (d) The Department shall maintain with the Central Permit Bureau a current record
13 of designated landmarks and historic districts. Upon receipt of any application for a permit to
14 carry out any construction, alteration, removal or demolition of a structure or any work
15 involving a sign, awning, marquee, canopy, mural or other appendage, on a landmark site or
16 in a historic district, the Central Permit Bureau shall, unless the structure or feature concerned
17 has been declared unsafe or dangerous pursuant to Section 1007 of this Article 10, promptly
18 forward such permit application to the Department.

19 (e) After receiving a permit application from the Central Permit Bureau in
20 accordance with the preceding subsection, the Department shall ascertain whether Section
21 1006 requires a Certificate of Appropriateness for the work proposed in such permit
22 application. If such Certificate is required and has been issued, and if the permit application
23 conforms to such Certificate, the permit application shall be processed without further
24 reference to this Article 10. If such Certificate is required and has not been issued, or if in the
25

1 sole judgment of the Department the permit application does not so conform, the permit
2 application shall be disapproved or held by the Department until such time as conformity does
3 exist; the decision and action of the Department shall be final. Notwithstanding the foregoing,
4 in the following cases the Department shall process the permit application without further
5 reference to this Article 10:

6 (1) When the application is for a permit to construct on a landmark site where the
7 landmark has been lawfully demolished and the site is not within a designated historic district;

8 (2) When the application is for a permit to make interior alterations only on a
9 privately-owned structure or on a publicly-owned structure, unless the designating ordinance
10 requires review of such alterations to the privately- or publicly-owned structure pursuant to
11 Section 1004(c) hereof;

12 (3) When the application is for a permit to do ordinary maintenance and repairs
13 only. For the purpose of this Article 10, "ordinary maintenance and repairs" shall mean any
14 work, the sole purpose and effect of which is to correct deterioration, decay or damage,
15 including repair of damage caused by fire or other disaster;

16 (4) When the application is for a permit to comply with the UMB Seismic Retrofit
17 Ordinances and the Zoning Administrator determines that the proposed work complies with
18 the UMB Retrofit Architectural Design Guidelines, which guidelines shall be adopted by the
19 Planning Commission.

20 (f) For purposes of this Article 10, demolition shall be defined as any one of the
21 following:

22 (1) Removal of more than 25 percent of the surface of all external walls facing a
23 public street(s); or
24
25

1 (2) Removal of more than 50 percent of all external walls from their function as all
2 external walls; or

3 (3) Removal of more than 25 percent of external walls from function as either
4 external or internal walls; or

5 (4) Removal of more than 75 percent of the building's existing internal structural
6 framework or floor plates unless the City determines that such removal is the only feasible
7 means to meet the standards for seismic load and forces of the latest adopted version of the
8 San Francisco Building Code and the State Historical Building Code.

9 (g) The following procedures shall govern review of the addition of murals to any
10 landmark or contributory structure in a historic district:

11 (1) Where the mural is proposed to be added to a landmark or contributory structure
12 in a historic district, located on property owned by the City, no Certificate of Appropriateness
13 shall be required. On such structures, the Art Commission shall not approve the mural until
14 the Advisory Board has provided advice to the Art Commission on the impact of the mural on
15 the historical structure. The Advisory Board shall provide advice to the Art Commission within
16 50 days of receipt of a written request for advice and information regarding the placement,
17 size and location of the proposed mural;

18 (2) Where the mural is proposed to be added to a landmark or contributory structure
19 in a historic district, located on property ~~which~~ that is not owned by the City, a Certificate of
20 Appropriateness shall be required. The Advisory Board shall not act on the Certificate of
21 Appropriateness until the Art Commission has provided advice to the Advisory Board on the
22 mural. The Art Commission shall provide advice to the Advisory Board within 50 days of
23 receipt of a written request for advice and information regarding the proposed mural.

1 Section 4. The San Francisco Planning Code is hereby amended by amending Section
2 1006.7, to read as follows:

3
4 SEC. 1006.7. STANDARDS FOR REVIEW OF APPLICATIONS.

5 The Planning Commission, the Department, and the Advisory Board shall be guided by
6 the standards in this Section in their review of applications for Certificates of Appropriateness
7 for proposed work on a landmark site or in a historic district. In appraising the effects and
8 relationships mentioned herein, the Planning Commission, the Department and the Advisory
9 Board shall in all cases consider the factors of architectural style, design, arrangement,
10 texture, materials, color, and any other pertinent factors.

11 (a) The proposed work shall be appropriate for and consistent with the effectuation
12 of the purposes of this Article 10.

13 (b) For applications pertaining to landmark sites, the proposed work shall preserve,
14 enhance or restore, and shall not damage or destroy, the exterior architectural features of the
15 landmark and, where specified in the designating ordinance ~~for a publicly-owned landmark~~
16 pursuant to Section 1004(c), its major interior architectural features. The proposed work shall
17 not adversely affect the special character or special historical, architectural or aesthetic
18 interest or value of the landmark and its site, as viewed both in themselves and in their
19 setting, nor of the historic district in applicable cases.

20 (c) For applications pertaining to property in historic districts, other than on a
21 designated landmark site, any new construction, addition or exterior change shall be
22 compatible with the character of the historic district as described in the designating ordinance;
23 and, in any exterior change, reasonable efforts shall be made to preserve, enhance or restore,
24 and not to damage or destroy, the exterior architectural features of the subject property which
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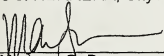
1 are compatible with the character of the historic district. Notwithstanding the foregoing, for
2 any exterior change where the subject property is not already compatible with the character of
3 the historic district, reasonable efforts shall be made to produce compatibility, and in no event
4 shall there be a greater deviation from compatibility. Where the required compatibility exists,
5 the application for a Certificate of Appropriateness shall be approved.

6 (d) For applications pertaining to all property in historic districts, the proposed work
7 shall also conform to such further standards as may be embodied in the ordinance
8 designating the historic district.

9 (e) For applications pertaining to the addition of murals on a landmark or
10 contributory structure in a historic district, the Advisory Board and the Planning Commission
11 shall consider only the placement, size and location of the mural, to determine whether the
12 mural covers or obscures significant architectural features of the landmark or contributory
13 structure. For purposes of review under this Article 10, the City shall not consider the content
14 or artistic merit of the mural.

15
16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By:

19 
20 Marlena G. Byrne
21 Deputy City Attorney
22
23
24
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 070021

Date Passed:

Ordinance amending the San Francisco Planning Code by amending Sections 1004, 1005 and 1006.7 to provide for review of proposed changes to interior architectural features of privately-owned landmark buildings where such features are in areas of the landmark that are generally accessible to members of the public; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

March 27, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi,
Peskin, Sandoval
Noes: 2 - Alioto-Pier, Jew

April 10, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi,
Peskin, Sandoval
Noes: 2 - Alioto-Pier, Jew

File No. 070021

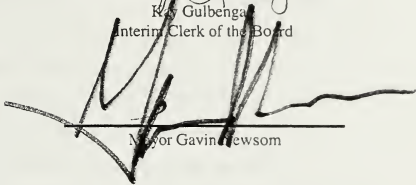
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 10, 2007 by
the Board of Supervisors of the City and
County of San Francisco.



Kay Gulbengaz
Interim Clerk of the Board

APR 20 2007

Date Approved



Mayor Gavin Newsom

83-07

FILE NO. 070262

ORDINANCE NO.

[Mint Plaza public improvements on a portion of Jessie, and Mint, ~~and~~ Stevenson Streets.]

Ordinance approving the issuance of a major encroachment permit and encroachment maintenance agreement to Friends of Mint Plaza to permit the construction and maintenance of certain improvements on Jessie and Mint Streets ~~and a portion of Stevenson Street near the intersection of Fifth Street~~, including authorization to allow certain specified uses and occupancy in said area, including café tables and chairs and moveable public seating; waiving public right-of-way occupancy assessment fees for said permit; conditionally accepting an offer from Friends of Mint Plaza for said improvements; conditionally dedicating said improvements for public use and designating portions of Jessie and Mint Streets as a public plaza; making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1; accepting offers of quitclaim deeds for abutters' rights of vehicular access to Jessie Street; and authorizing official acts in furtherance thereof.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough-italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough-normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) On May 16, 2006, and June 20, 2006, the Urban Preservation Foundation, doing business as Friends of Mint Plaza, a California nonprofit corporation, ("FMP"), in coordination with the Planning Department, the Mayor's Livable City Initiative and Supervisor Daly's office hosted a series of publicly-noticed community workshops to share information about the potential to transform portions of Jessie and Mint Streets into a new pedestrian plaza and to collect specific feedback on design ideas and programming. Approximately 70 community

1 stakeholders attended each community workshop. Feedback from these two workshops
2 informed the development of a schematic design proposal and street improvement permit to
3 create a new pedestrian plaza on a portion of Jessie and Mint Streets.

4 (b) On July 14, 2006, FMP submitted a street improvement permit application to the
5 Department of Public Works ("DPW") to close a portion of the Jessie and Mint Street public
6 right-of-ways to automobile traffic and install certain improvements thereon and on a portion of
7 the ~~Stevenson and~~ Mint Street public right-of-ways not closed to automobile traffic
8 (collectively, the "Mint Plaza Public Improvements").

9 (c) On July 17, 2006, after a duly noticed public hearing, the Civic Design Review
10 Committee of the San Francisco Arts Commission, recommended that the full Arts
11 Commission grant Phase 1 Schematic Design approval for the Mint Plaza Public
12 Improvements, as set forth in the street improvement permit application.

13 (d) On July 19, 2006, after a duly noticed public hearing, the San Francisco
14 Landmarks Preservation Advisory Board (LPAB), reviewed and commented on the proposed
15 Mint Plaza Public Improvements.

16 (e) On September 11, 2006, after a duly noticed public hearing, the Arts Commission
17 approved Resolution No. 0911-06-164, granting Phase 1 Schematic Design approval for the
18 Mint Plaza Public Improvements as set forth in the street improvement permit contingent upon
19 further study of the entry grove along Fifth Street. A copy of said Resolution is ~~on file with the~~
20 ~~Clerk of the Board of Supervisors in File No. _____~~ available on the Arts
21 Commission website and is incorporated herein by reference.

22 (f) On September 14, 2006, after a duly noticed public hearing, the Planning
23 Commission approved Resolution No. 17308 finding that the Mint Plaza Public Improvements
24 set forth in the street improvement permit application were, on balance, in conformity with the
25

1 General Plan, based on its consistency with the policies and objectives of the Transportation,
2 Urban Design and Downtown Elements of the General Plan. A copy of said Resolution is on
3 file with the Clerk of the Board of Supervisors in File No. 070262 and is incorporated herein by
4 reference.

5 (g) On September 28, 2006, after a duly noticed public hearing, ISCOTT approved the
6 ~~street improvement permit for the Mint Plaza Public Improvements~~ as set forth in the street
7 improvement permit application.

8 (h) On October 3, 2006, after a duly noticed public hearing, this Board approved
9 Resolution No. 579-06 recommending approval of the formation of a Community Facilities
10 District ("CFD") and the issuance of special tax bonds ~~to construct the Mint Plaza Public~~
11 ~~Improvements~~ by the Association of Bay Area Governments-Finance Authority For Nonprofit
12 Corporations (ABAG-FANC) ~~related to construct~~ the Mint Plaza Public Improvements as set
13 forth in the street improvement permit application; making findings; approving a related joint
14 community facilities agreement; and granting general authority to City officials to take actions
15 necessary to implement said Resolution. A copy of said Resolution is on file with the Clerk of
16 the Board of Supervisors in File No. 061309 and is incorporated herein by reference.

17 (i) On November 3, 2006, after a duly noticed public hearing, the Department of
18 Parking and Traffic approved all traffic and transit changes related to the street improvement
19 permit application for the Mint Plaza Public Improvements.

20 (j) On December 5, 2006, after a duly noticed public hearing, the Board of the
21 Metropolitan Transportation Authority approved all traffic and transit changes related to the
22 street improvement permit application for the Mint Plaza Public Improvements.

23 (k) On December 20, 2006, after a duly noticed public hearing, the Executive
24 Committee of the Board of Directors of ABAG-FANC approved Resolutions 06-41, 06-42, 06-
25

43, and 06-44, to finalize the formation of Community Facilities District No. 2006-2 (San Francisco Mint Plaza Area). The CFD will facilitate the sale and delivery of a single series of special property tax-secured debt by the Authority, of up to \$3.5 million, to finance the construction of the Mint Plaza Public Improvements as set forth in the street improvement permit application.

(l) On January 4, 2007, a map of Community Facilities District No. 2006-2 (San Francisco Mint Plaza Area) and a Notice of Special Tax Lien were recorded in the City's Recorder's Office.

(m) The Department of City Planning, by letter dated January 18, 2007, declared that the actions contemplated herein are consistent with the General Plan and with the priority policies of Planning Code Section 101.1. A copy of said letter is on file with the Clerk of the Board of Supervisors in File No. 070102 and is incorporated herein by reference. The Board adopts as its own the findings in said letter concerning consistency with the City's General Plan and the priority policies of Planning Code Section 101.1.

(n) On February 1, 2007, at the request of FMP, the Department of Public Works modified the street improvement permit application to include a major encroachment permit application, pursuant to Public Works Code Section 786, to construct and maintain the Mint Plaza Public Improvements and to allow for certain specified future activities and uses with the on-Mint Plaza Public Improvements area.

(o) On February 26, 2006, after a duly noticed public hearing, the Civic Design Review Committee of the San Francisco Arts Commission, recommended that the full Arts Commission grant Phase 2 Design Development approval for the Mint Plaza Public Improvements, incorporating recent changes made in the street improvement permit application since the Committee's July 17, 2006. Phase 1 authorization.

1 (p) On March 7, 2007, after a duly noticed public hearing, the Director of DPW
2 recommended approval of the proposed major encroachment permit application to construct
3 and maintain the Mint Plaza Public Improvements consistent with the street improvement
4 permit application as set forth in DPW Order No. 176,785, approved March 7, 2007. In
5 addition, this major encroachment permit ~~includes authorization to conduct~~ authorizes certain
6 specified uses and ~~occupancy~~ occupancies in the public right-of-way, including installation of
7 permission to provide moveable café tables and chairs in up to five areas within the future
8 Mint Plaza Public Improvements area, which shall be subject to subsequent authorization
9 from the DPW Director but included as part of this encroachment permit. The permit also is
10 accompanied by a Memorandum of Agreement regarding maintenance of the Mint Plaza
11 Public Improvements Maintenance Agreement (the "Maintenance Agreement"). In DPW
12 Order No. 176,785, the Director further recommended that, contingent on completion of the
13 Mint Plaza Public Improvements and the City's Engineer's issuance of a notice of completion
14 that said improvements have been properly constructed according to the approved street
15 improvement permit plans on file with DPW and that such improvements are ready for their
16 intended use, this Board conditionally accept the offer from FMP for the Mint Plaza Public
17 Improvements, dedicate said improvements for public use, and designate Jessie Street
18 between 5th Street and its terminus at Mint Street as a pedestrian plaza. Copies of the DPW
19 Order, the major encroachment permit application, the street improvement permit application,
20 and associated design plans, and the Maintenance Agreement are on file with the Clerk of the
21 Board of Supervisors in File No. 070262 and are incorporated herein by reference.

22 (q) FMP has made an offer of dedication of the Mint Plaza Public Improvements to the
23 City (the "Offer of Dedication"). Said Offer also includes a commitment from FMP to maintain
24 the Mint Plaza Public Improvements Aarea conditioned on issuance of the abovementioned
25

1 major encroachment permit and Maintenance Agreement to FMP. A copy of the Offer of
2 Dedication is on file with the Clerk of the Board of Supervisors in File No. 070262 and is
3 incorporated herein by reference.

4 Section 2. Environmental Findings. In Board of Supervisors Resolution No. 547-06,
5 this Board adopted findings pursuant to the California Environmental Quality Act (California
6 Public Resources Code Sections 21000 et seq., "CEQA") for the Old Mint project and related
7 actions. Said findings and associated materials are on file with the Clerk of the Board of
8 Supervisors in File No. 061225 and are incorporated herein by reference. The Board of
9 Supervisors reaffirms the abovementioned findings it made in accordance with CEQA for
10 purposes of the actions contemplated herein.

11 Section 3. Approval of Major Encroachment Permit and Waiver of Fees.

12 (a) Pursuant to Public Works Code Section 786 and notwithstanding Public Works
13 Code Sections 176 et seq. (café tables and chairs), 800 et seq. (planting of trees and right-of-
14 way landscaping), Section 724 et seq. (temporary occupancy of streets), Section 723.1
15 (sidewalk barriers), and any other Public Works Code sections applicable to use and
16 occupancy of streets or sidewalks that are contained within the scope of the major
17 encroachment permit's terms permit application and consistent with the street improvement
18 permit plans, the Board hereby grants revocable permission to FMP to occupy a portion of
19 the public right-of-way to construct the Mint Plaza Public Improvements consistent with the
20 major encroachment permit, Maintenance Agreement, and street improvement permit and
21 plans, and subject to the conditions set forth herein ~~and those contained in the permit or its~~
22 Maintenance Agreement. Said major encroachment permit also shall specifically allow for
23 future maintenance services of the Mint Plaza Public Improvements Area as set forth in the
24 Maintenance Agreement, moveable outdoor café tables and chairs of in up to five
25

1 approximately 1,000 square foot areas within the Mint Plaza Public Improvement area for the
2 benefit of up to five future restaurants adjacent to the Mint Plaza Improvements Area ~~this area~~,
3 moveable public seating throughout the Mint Plaza Public Improvements Area for the use of
4 the general public along with ~~maintenance and storage of such public seating by FMP, art,~~
5 music and food-related events and performances open to the public, farmers' markets, and
6 the temporary closure of portions of the Mint Plaza Public Improvements area for private
7 events. ~~The permit also authorizes other specific uses and occupancies of the public right-of-~~
8 ~~way as specifically described in the permit.~~ The Board hereby authorizes the DPW Director to
9 approve, subject to any conditions that the Director deems appropriate, such uses and
10 physical improvements that are specifically described in the major encroachment permit
11 application and consistent with the street improvement permit and plans. The Director shall
12 incorporate such uses and conditions into the major encroachment permit to establish a
13 record of such actions. Any proposed use or occupancy of the public right-of-way outside the
14 scope of those specifically described in the major encroachment permit approved herein shall
15 be subject to all applicable provisions of the Public Works Code and local law.

16 (b) In addition to the other conditions set forth herein, the Permittee, at the Permittee's
17 sole expense and as is necessary as a result of this permit, shall make the following
18 arrangements:

19 (1) To provide for the support and protection of facilities belonging to the
20 Department of Public Works, San Francisco Water Department, the San Francisco Fire
21 Department and other City Departments, and public utility companies;

22 (2) To provide future access from the Mint Plaza Public Improvement area to
23 such facilities to allow said entities to construct, reconstruct, maintain, operate, or repair such
24 facilities at said entities' sole expense; and,
25

1 (3) To remove or relocate such facilities if installation of the Mint Plaza Public
2 Improvements ~~encroachment~~ requires said removal or relocation and to make all necessary
3 arrangements with the owners of such facilities, including payment for all their costs, should
4 said removal or relocation be required solely for the installation of ~~said encroachment~~ the Mint
5 Plaza Public Improvements.

6 (c) The Permit also is subject to the following conditions:

7 (1) Permittee shall procure the necessary permits from the Central Permit
8 Bureau, Department of Building Inspection and/or Bureau of Street-Use and Mapping,
9 Department of Public Works, and pay all permit and inspection fees before starting work on
10 the Mint Plaza Public Improvements.

11 (2) No structures shall be erected or constructed within said street right-of-way
12 except as specifically permitted herein.

13 (3) The Permittee shall become a member of, participate in and share in the
14 costs associated with Underground Service Alert (U.S.A.) Northern California Region.

15 (4) The As set forth in the Maintenance Agreement, Permittee shall assume all
16 costs for the maintenance and repair of the ~~encroachments~~ Mint Plaza Public Improvements
17 and no cost or obligation related to the encroachments shall accrue to the Department of
18 Public Works or any other City entity by reason of this permission granted ~~as further set out in~~
19 the Maintenance Agreement.

20 (5) As set forth in the Maintenance Agreement, Permittee's maintenance and
21 repair obligations for the Min Plaza Public Improvements shall be coterminous with this major
22 encroachment permit. The conditions of the major encroachment permit shall bind the future
23 assignees and transferees of such permit.

1 (d) Pursuant to Public Works Code Section 786, the Board finds that a benefit will
2 accrue to the public from this major encroachment permit, and therefore the Board hereby
3 waives the public right-of-way occupancy assessment fee as set forth in Public Works Code
4 Section 786.7.

5 (e) The Permittee shall be subject to any permit and inspection fees associated with
6 café tables and chairs for each specific area associated with a restaurant (up to five areas as
7 set forth above) pursuant to Public Works Code Sections 2.1 et seq. Permittee shall pay the
8 annual processing fees for each café tables and chairs application within the Mint plaza Public
9 Improvements area, including the five areas contained in this major encroachment permit.
10 Permittee shall be subject to an annual Café tables and chair inspection fee for only a single
11 1,000 square foot area even though this major encroachment permit allows up to five 1,000
12 square foot area for café tables and chairs associated with restaurants, as set forth above.
13 Both the processing and inspection fees shall be based on the fee schedule in Public Works
14 Code Sections 2.1 et seq.

15 (f) Any violation of the vehicular access program to 424 Jessie Street, as specifically
16 described in Section 5 below, shall result in the immediate revocation of the major
17 encroachment permit and any other approval or authorization set forth herein.

18 Section 34. Conditional acceptance of FMP's Offer of Dedication; and Dedication for
19 Public Use.

20 (a) The Board of Supervisors hereby approves the recommendations contained in
21 DPW Order No. 176,785 regarding FMP's Mint Plaza Public Improvements.

22 (b) Contingent on completion of the Mint Plaza Public Improvements as set forth
23 above, the Board conditionally accepts FMP's Offer of Improvements.

1 (c) Contingent on completion of the Mint Plaza Public Improvements as set forth
2 above, the Board conditionally dedicates said improvements for public use and designates
3 Jessie Street between 5th Street and its terminus at Mint Street as a pedestrian plaza.

4 Section 45. Acceptance for Quitclaim Deeds for Vehicular Access from Jessie Street.

5 (a) ~~With one exception, all~~ All of the property owners adjacent to the portion of Jessie
6 ~~and Mint Streets that will be permanently closed to Vehicular traffic~~ support the closure of this
7 ~~street to vehicular traffic~~ and, in furtherance thereof, have offered to the City quitclaim deeds
8 of abutters' rights for vehicular access to Jessie Street. The owner of property located at 424
9 ~~Jessie Street and the City are continuing to resolve~~ have agreed to allow limited vehicular
10 ~~access issues to that site across the Plaza to said property for up to three vehicles between~~
11 ~~the hours of 8 PM and 10 AM only, with certain exceptions for emergency and disabled~~
12 ~~access.~~ The quitclaim deeds are on file with the Clerk of the Board of Supervisors in File No.
13 070262 and are attached hereto by reference.

14 (b) The Board, on behalf of the City and County of San Francisco, accepts the offer
15 from the adjacent property owners of the quitclaim deeds of abutters' rights of vehicular
16 access to portions of Jesse Street in substantially the same form as those on file with the
17 Clerk of the Board of Supervisors.

18 Section 56. Authorization to Effectuate the Ordinance. The Board of Supervisors
19 approves and authorizes all necessary actions to effectuate the intent of this Ordinance and
20 directs the Clerk of the Board, the Director of the Department of Public Works, and the
21 Director of the Department of Real Estate to take any and all actions which they or the City
22 Attorney may deem necessary or advisable in order to effectuate the purpose and intent of
23 this Ordinance (including, without limitation, authorizing the Director of Real Estate to execute
24 and record the abovementioned quitclaim deeds of abutters' rights of vehicular access and
25

1 authorizing the Director of the Department of Public Works to sign the aforementioned major
2 encroachment permit and Maintenance Agreement and filing such documents in the official
3 records of the Department of Public Works).

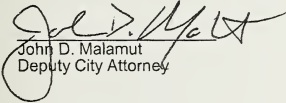
4 RECOMMENDED: _____ APPROVED: _____
5
6

7 Robert P. Beck
8 City Engineer and
9 Deputy Director for Engineering
10
11

Fred V. Abadi, Ph.D.
Director of Public Works

12 APPROVED AS TO FORM:
13 DENNIS J. HERRERA, City Attorney

14 By:

15 
16 John D. Malamut
17 Deputy City Attorney
18
19
20
21
22
23
24
25



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070262

Date Passed:

Ordinance approving the issuance of a major encroachment permit and encroachment maintenance agreement to Friends of Mint Plaza to permit the construction and maintenance of certain improvements on Jessie and Mint Streets, including authorization to allow certain specified uses and occupancy in said area, including café tables and chairs and moveable public seating; waiving public right-of-way occupancy assessment fees for said permit; conditionally accepting an offer from Friends of Mint Plaza for said improvements; conditionally dedicating said improvements for public use and designating portions of Jessie and Mint Streets as a public plaza; making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1; accepting offers of quitclaim deeds for abutters' rights of vehicular access to Jessie Street; and authorizing official acts in furtherance thereof.

April 10, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 17, 2007 Board of Supervisors — FINALLY PASSED

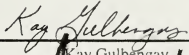
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070262

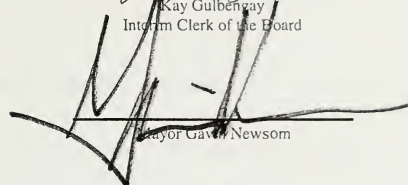
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 17, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

APR 20 2007

Date Approved



Kay Gulbengay
Interim Clerk of the Board



Mayor Gavin Newsom

[Appropriating \$4,440,000 of General Fund Reserve funding for County Jail No. 3 Construction Project legal costs]

Ordinance appropriating \$4,440,000 of General Fund Reserve funding for litigation expenses related to the County Jail No. 3 Replacement Project for Sheriff's Office through the Department of the Public Works to work order for legal services with the City Attorney's Office.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The sources of funding outlined below are herein appropriated to reflect the funding available.

SOURCES Appropriation

Fund	Index Code	Subobject	Description	Amount
1G AGF AAA - GF-	*CON1GAGFAAA	098GR	General Fund	\$4,440,000
Non-Project-			Reserve	
Controlled				
Total SOURCES Appropriation				\$4,440,000

Section 2. The of uses funding outlined below are herein appropriated in the Subobject 081CT in the Department of Public Works and a corresponding 086PW in the City Attorney's Office reflecting the projected uses of funding to support litigation expenses related to the County Jail No. 3 Replacement Project.

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USES Appropriation

Fund	Index Code / Project Code	Subobject	Description	Amount
1G AGF ACP - GF-Continuing Project	PWE331GGFACP/ CENSBJCP7864 - San Bruno Jail Reconstruction Project	081CT- City Attorney- Legal Services	To support a work order to the city attorney for legal services	
				\$4,440,000
1G AGF AAA – General Fund Non-Project Controlled	035005 – City Attorney Legal Services	086PW – Work Order Recovery from Department of Public Works	Recovery for services performed for the Department of Public Works	
Total USES Appropriation				\$4,440,000

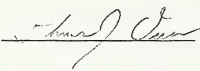
FUNDS AVAILABLE

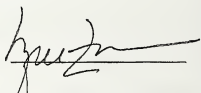
APPROVED AS TO FORM:

EDWARD M. HARRINGTON

DENNIS J. HERRERA, City Attorney

Controller

By: 

By: 

Deputy City Attorney

Date: 02/13/2007



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070296

Date Passed:

Ordinance appropriating \$4,440,000 of General Fund Reserve funding for litigation expenses related to the County Jail No. 3 Replacement Project for Sheriff's Office through the Department of the Public Works to work order for legal services with the City Attorney's Office.

April 10, 2007 Board of Supervisors — PASSED ON FIRST READING

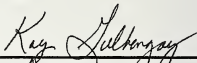
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

April 17, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin
Noes: 2 - Jew, Sandoval

File No. 070296

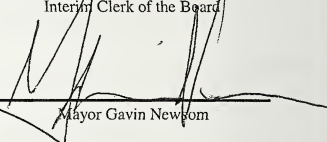
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 17, 2007 by
the Board of Supervisors of the City and
County of San Francisco.



Kay Gulbengay
Interim Clerk of the Board

APR 23 2007

Date Approved



Mayor Gavin Newsom

FILE NO. 070254

ORDINANCE NO.

85-07

RO#07035
SA#35

[Appropriating \$19,884,652 ~~\$20,039,652~~ for San Francisco General Hospital, Laguna Honda Hospital and Health Access Program expenditures to the Department of Public Health for Fiscal Year 2006-2007.]

Ordinance appropriating \$19,884,652 ~~\$20,039,652~~ of sources, including \$9,443,985 ~~\$9,598,985~~ of additional San Francisco General Hospital patient revenue, \$5,000,000 of San Francisco General Hospital prior year settlements, \$3,354,090 of additional Laguna Honda Hospital Medi-Cal revenue and \$423,945 of Laguna Honda Hospital Distinct Part Nursing Facility federal funding and de-appropriating \$1,662,632 in surplus Mental Health Program salaries and Laguna Honda Hospital Social Security budget; appropriating \$19,884,652 ~~\$20,039,652~~—of uses, including \$12,617,977 in salaries, related fringe, overtime and materials and supplies at San Francisco General Hospital, \$5,031,675 in overtime, materials and supplies, and other related expenses at Laguna Honda Hospital, and \$2,235,000 ~~\$2,390,000~~ for information technology infrastructure costs to implement the Health Access Program; and de-appropriating \$741,973 of General Fund sources and uses to reflect prior appropriation for additional funding for HIV/AIDS related services (File No. 070123 and 070127) in the Department of Public Health for Fiscal Year 2006-2007.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The sources of funding outlined below are herein appropriated to reflect the funding available for Fiscal Year 2006-2007.

Supervisor Ammiano
Board of Supervisors

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MAY 22 2007

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Page 1 of 7

SOURCES Appropriation

Fund	Index Code	Subobject	Description	Amount
San Francisco General Hospital				
5H-AAA-AAA	HGH1HFI00101	65207	Other Patient	<u>\$9,443,985</u>
SFGH-Operating-			Revenue	\$9,598,985
Non-Project				
Controlled				
5H-AAA-AAA	HGH1HFI00101	65995	Prior Year	\$5,000,000
SFGH-Operating-			Settlements	
Non-Project				
Controlled				
Laguna Honda Hospital				
5L-AAA-AAA	HLH448704	65202	Medi-Cal Inpatient	\$3,354,090
LHH-Operating-			Revenues	
Non-Project				
Controlled				
5L-AAA-AAA	HLH448704	65911	Distinct Part Nursing	\$423,945
LHH-Operating-			Facility Federal	
Non-Project			Supplemental	
Controlled			Funding	
Total SOURCES Appropriation				<u>\$18,222,020</u>
				<u>\$18,377,020</u>

Section 2. The uses of funding outlined below are herein de-appropriated in the various Subobjects and reflects the projected uses of funding as outlined in Section 3 for the Department of Public Health for Fiscal Year 2006-2007.

USES De-appropriation

Fund	Index Code / Project Code	Subobject	Description	Amount
1G-AGF-AAA GF-Non- Project Controlled	HHMCC730515	00101	Mental Health Program Salaries-Miscellaneous Regular	\$324,992
5L-AAA-AAA LHH-Operating-Non- Project Controlled	HLH449629	01400	Laguna Honda Hospital Social Security Budget	\$1,337,640
Total USES De-appropriation				\$1,662,632

Section 3. The uses of funding outlined below are herein appropriated in the various Subobjects, and reflects the projected uses of funding to support additional expenditures at San Francisco General Hospital related to increased patient volume, increased expenditures at Laguna Honda Hospital, and information technology infrastructure costs to implement the Health Access Program in the Department of Public Health for Fiscal Year 2006-2007.

USES Appropriation

Fund	Index Code	Subobject	Description	Amount
San Francisco General Hospital				
5H-AAA-AAA SFGH-	HGH1HUN40061	00401	Salaries-Nurses	\$6,168,212
Operating-Non-Project			Regular	
Controlled				
5H-AAA-AAA SFGH-	HGH1HUN40061	01104	Salaries—	\$1,837,993
Operating-Non-Project			Overtime Nurses	
Controlled				
5H-AAA-AAA SFGH-	HGH1HUN40061	01201	Holiday Pay-	\$406,772
Operating-Non-Project			Miscellaneous	
Controlled				
5H-AAA-AAA SFGH-	HGH1HUN40061	01300	Mandatory Fringe	\$705,000
Operating-Non-Project			Benefits	
Controlled				
5H-AAA-AAA SFGH-	HGH1HUN40061	04000	Materials and	\$3,500,000
Operating-Non-Project			Supplies	
Controlled				

	Fund	Index Code	Subobject	Description	Amount
1					
2					
3	Laguna Honda Hospital				
4	5L-AAA-AAA	HLH449629	01100	Overtime Budget	\$3,051,675
5	LHH-Operating-Non-				
6	Project Controlled				
7					
8	5L-AAA-AAA	HLH449629	03500	Other Current	\$395,000
9	LHH-Operating-Non-			Expenses	
10	Project Controlled				
11					
12	5L-AAA-AAA	HLH449629	00400	Materials and	\$1,585,000
13	LHH-Operating-Non-			Supplies	
14	Project Controlled				
15					
16	Health Access Program				
17	5H-AAA-ACP SFGH-	HGHHLTHACCES/	02700	Professional and	\$1,435,000
18	Continuing-Project-	CHGHAP		Specialized	
19	Operating Fund			Services	
20					
21	5H-AAA-ACP SFGH-	HGHHLTHACCES/	06099	Equipment	<u>\$800,000</u>
22	Continuing-Project-	CHGHAP			<u>\$955,000</u>
23	Operating Fund				
24	Total USES Appropriation				<u>\$19,884,652</u>
25					<u>\$20,039,652</u>

Section 4. The sources and uses of funding outlined below are herein de-appropriated to reflect prior appropriation for HIV/AIDS related services to the Department of Public Health for Fiscal Year for Fiscal Year 2006-2007 as provided in File Numbers 070123 and 070127.

SOURCES De-appropriation

Fund	Index Code	Subobject	Description	Amount
1G-AGF-AAA GF-	995031	99999B	General Fund	\$741,973
Non-Project			Beginning Balance	
Controlled				
Total SOURCES De-appropriation				<u>\$741,973</u>

USES De-appropriation

Fund	Index Code	Subobject	Description	Amount
1G-AGF-AAA GF-	HMHMCC730515	00101	Mental Health	\$741,973
Non-Project			Program Salaries-	
Controlled			Miscellaneous	
			Regular	
Total USES De-appropriation				<u>\$741,973</u>

Section 5. The Controller is hereby authorized to adjust and apply General Fund transfers to and from San Francisco General Hospital and Laguna Honda Hospital to reflect new expenditure authority contained in this Ordinance for the Health Access Program.

FUNDS AVAILABLE

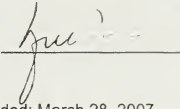
APPROVED AS TO FORM:

EDWARD M. HARRINGTON

DENNIS J. HERRERA, City Attorney

Controller

By: See file for signature

By: 

Deputy City Attorney

Amended: March 28, 2007



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070254

Date Passed:

Ordinance appropriating \$19,884,652 of sources, including \$9,443,985 of additional San Francisco General Hospital patient revenue, \$5,000,000 of San Francisco General Hospital prior year settlements, \$3,354,090 of additional Laguna Honda Hospital Medi-Cal revenue and \$423,945 of Laguna Honda Hospital Distinct Part Nursing Facility federal funding and de-appropriating \$1,662,632 in surplus Mental Health Program salaries and Laguna Honda Hospital Social Security budget; appropriating \$19,884,652 of uses, including \$12,617,977 in salaries, related fringe, overtime and materials and supplies at San Francisco General Hospital, \$5,031,675 in overtime, materials and supplies, and other related expenses at Laguna Honda Hospital, and \$2,235,000 for information technology infrastructure costs to implement the Health Access Program; and de-appropriating \$741,973 of General Fund sources and uses to reflect prior appropriation for additional funding for HIV/AIDS related services (File No. 070123 and 070127) in the Department of Public Health for Fiscal Year 2006-2007.

April 10, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

April 10, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

April 17, 2007 Board of Supervisors — FINALLY PASSED

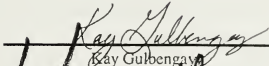
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

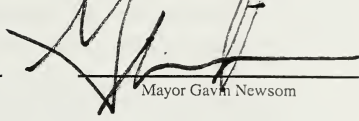
File No. 070254

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 17, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

APR 27 2007

Date Approved


Kay Gulbengazy
Interim Clerk of the Board


Mayor Gavin Newsom

86-07

FILE NO. 070078

ORDINANCE NO.

[Healthy Products, Healthy Children Ordinance.]

Ordinance amending the San Francisco Health Code by re-numbering and amending Sections 34.1 through 34.3 and adding new Sections 34.1, 34.2, and 34.6 through 34.9, to: re-state the ban on toys, child care products, and child feeding products made with certain phthalates; repeal the ban on toys, child care products, and child feeding products made with Bisphenol-A, pending State action; add a new title and findings; provide for implementation and enforcement, including administrative and criminal penalties; and, add disclaimer of liability and severability clauses.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Health Code is hereby amended by re-numbering and amending Sections 34.1 through 34.3 and adding new Sections 34.1, 34.2, and 34.6 through 34.9, to read as follows:

SEC. 34.1. FINDINGS.

Phthalates

(a) Phthalates are a family of chemicals that are used as an additive in a number of consumer products and are used to make plastics flexible for use in children's toys, shower curtains, medical supplies, and building materials.

(b) Phthalate additives are not bound tightly within the plastic and may leach out of the product. Leaching may occur especially as a result of mechanical stress such as chewing or bending, and upon exposure to fats, saliva and warm temperatures.

DOCUMENTS DEPT.

Supervisor Alioto-Pier
BOARD OF SUPERVISORS

MAY 22 2007

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1 (c) Phthalates have been shown to cause reproductive harm including genital defects, sperm
2 damage, reduced testosterone production, and premature deliveries.

3 (d) Government agencies and scientific bodies in the European Union (EU) have recognized
4 the potential harm of six specific types of phthalates: DEHP, DBP, BBP, DINP, DIDP, and DNOP
5 especially to infants and young children; and as a result, these chemicals are banned from use in
6 children's products in the EU.

7 (e) The United States Consumer Product Safety Commission has established a voluntary
8 program to eliminate one type of phthalate, DEHP, from children's toys.

9 (f) Studies and testing indicate that regardless of this voluntary phase-out, toys sold in the
10 United States still contain DEHP, especially toys made from PVC plastic.

11 (g) Consumers are not able to make informed purchasing decisions regarding children's
12 products because there is no requirement to list phthalates content on product labels.

13 **Bisphenol-A**

14 (h) Bisphenol-A (BPA) is a building block of polycarbonate plastic used in such products as
15 clear plastic baby bottles and water bottles, and in other materials such as the epoxy resin coatings
16 that line food containers.

17 (i) BPA has been shown to leach out of the polycarbonate plastic upon exposure to heat and
18 mechanical scrubbing and has been detected in the liquid contained in plastic bottles that have been
19 exposed to heat.

20 (j) BPA mimics the hormone estrogen and is therefore considered to be an endocrine
21 disruptor. The hormone systems of young children are uniquely susceptible to low doses of
22 estrogenic substances. Scientific studies have shown that BPA at very low doses can affect brain
23 chemistry and structure, behavior, the immune system, enzyme activity, the male reproductive system,
24 and the female reproductive system in a variety of animals, including snails, fish, frogs, and mammals.

1 (k) Scientific bodies within the US government and the European Union have concluded that
2 animal studies such as those carried out on BPA are a vital guide to identifying health risks for
3 humans, but have thus far concluded that no restrictions on BPA in consumer products are
4 warranted at this time.

5 (l) There is some uncertainty in the available scientific evidence, and—The Department
6 of Public Health and Department of the Environment should will continue to monitor emerging
7 literature on the potential health effects of exposure to BPA.

8 (m) Consumers are not able to make informed purchasing decisions regarding children's
9 products because there is no requirement to list BPA content on product labels.

10
11 **SEC. 34.2. TITLE; PREAMBLE.**

12 (a) This Chapter may be known as the "Healthy Products, Healthy Children Ordinance."

13 (b) In response to concerns about the scope and implementation of Ordinance No. 120-06
14 expressed by the San Francisco Department of Public Health following the measure's adoption in June
15 2006, the Board of Supervisors hereby amends the ordinance to focus on child care products and toys
16 likely to be placed in children's mouths and containing specified phthalates and on child feeding
17 products containing specified phthalates. The Board further urges the State of California to take action
18 to prohibit or restrict the sale of children's products containing Bisphenol-A, and will consider
19 further possible legislative action by the City should no such protective action be taken by the State.

20
21 **SEC. 34.3. 34.1. DEFINITIONS PROHIBITING THE SALE OF TOYS AND CHILD CARE**
22 **ARTICLES MADE WITH BISPHENOL-A.**

23 (a) Bisphenol A, an estrogen-mimicking endocrine disrupter chemical, is used in the
24 production of epoxy resins and poly carbonate plastics and is the main ingredient in hard

polycarbonate plastics. The plastics are used in many food and drink packaging applications, and the resins are commonly used as lacquers to coat metal products such as food cans, bottle tops, and water supply pipes.

~~(b) Bisphenol A has been shown to have hormone-disrupting effects and is used in many products designed for children, including, but not limited to, toys, pacifiers, baby bottles, and teething.~~

~~(c) No person or entity shall manufacture, sell, or distribute in commerce within the City and County of San Francisco any toy or child care article intended for use by a child under three years of age if that product has been made with or contains bisphenol A.~~

(d) For the purposes of this Chapter, the following terms have the following meanings:

(1) (i) "Toy" means a product an article designed and made for the amusement of a child or for his or her use in play and likely to be placed in a child's mouth and capable of being placed in a child's mouth.

(2) (ii) "Child care product article" means a product all products designed or intended by the manufacturer to help children facilitate sleep or relax relaxation, or the feeding of children or to help children with sucking or teething, and likely to be placed in a child's mouth, and capable of being placed in a child's mouth.

(3) "Child feeding product" means a product designed or intended by the manufacturer to facilitate the feeding of children. A "child feeding product" shall not include any medical device.

(4) "Distribution in commerce," "distribute in commerce," or "distributed in commerce" shall include offering items for sale, whether or not an actual sale of the item occurs.

SEC. ~~34.4.~~ 34.2. PROHIBITING THE SALE OF TOYS, AND CHILD CARE PRODUCTS ARTICLES, AND CHILD FEEDING PRODUCTS MADE WITH PHTHALATES.

1 (a) No person or entity shall manufacture, sell, or distribute in commerce within the City any
2 toy, child care product, or child feeding product listed by the City pursuant to Section 34.6 which has
3 been made with or contains di (2-ethylhexyl) phthalate (DEHP) in concentrations exceeding 0.1
4 percent.

5 (b) No person or entity shall manufacture, sell, or distribute in commerce within the City any
6 toy, child care product, or child feeding product listed by the City pursuant to Section 34.6 which has
7 been made with or contains di butyl phthalate (DBP) in concentrations exceeding 0.1 percent.

8 (c) No person or entity shall manufacture, sell, or distribute in commerce within the City any
9 toy, child care product, or child feeding product listed by the City pursuant to Section 34.6 which has
10 been made with or contains benzyl butyl phthalate (BBP) in concentrations exceeding 0.1 percent.

11 (d) No person or entity shall manufacture, sell, or distribute in commerce within the City any
12 toy, child care product, or child feeding product listed by the City pursuant to Section 34.6 which has
13 been made with or contains diisononyl phthalate (DINP) in concentrations exceeding 0.1 percent.

14 (e) No person or entity shall manufacture, sell, or distribute in commerce within the City any
15 toy, child care product, or child feeding product listed by the City pursuant to Section 34.6 which has
16 been made with or contains diisodecyl phthalate (DIDP) in concentrations exceeding 0.1 percent.

17 (f) No person or entity shall manufacture, sell, or distribute in commerce within the City any
18 toy, child care product, or child feeding product listed by the City pursuant to Section 34.6 which has
19 been made with or contains di-n-octyl phthalate (DNOP) in concentrations exceeding 0.1 percent.

20 ~~(a) Phthalates are chemicals used to plasticize some food containers, plastic wrap, toys,~~
21 ~~shampoos, perfumes, and beauty products.~~

22 ~~(b) Phthalates have been shown to have hormone-disrupting effects. However, they are used in~~
23 ~~many products intended for use by young children, including, but not limited to, toys, pacifiers, baby~~
24 ~~bottles, and teethingers.~~

1 ~~(c) No person or entity shall manufacture, sell, or distribute in commerce within the City and~~
2 ~~County of San Francisco any toy or child care article that is made with or contains di (2-ethylhexyl)~~
3 ~~phthalate (DEHP), di-butyl phthalate (DBP), or benzyl-butyl phthalate (BBP) in concentrations~~
4 ~~exceeding 0.1 percent.~~

5 ~~(d) No person or entity shall manufacture, sell, or distribute in commerce within the City and~~
6 ~~County of San Francisco any toy or child care article intended for use by a child under three years of~~
7 ~~age if that product can be placed in the child's mouth and has been made with or contains diisononyl~~
8 ~~phthalate (DINP), diisodecyl phthalate (DIDP), or di-n-octyl phthalate (DNOP) in concentrations~~
9 ~~exceeding 0.1 percent.~~

10
11 **SEC. ~~34.5.~~ 34.3. LEAST-TOXIC ALTERNATIVES.**

12 (a) Manufacturers within the City and County of San Francisco should ~~shall~~ use the
13 least toxic alternative when replacing *bisphenol-A* and phthalates in accordance with this
14 Chapter.

15 (b) Manufacturers should ~~shall~~ not replace *bisphenol-A* and phthalates pursuant to this
16 Chapter with carcinogens rated by the United States Environmental Protection Agency as A,
17 B, or C carcinogens, or substances listed as known or likely carcinogens, known to be human
18 carcinogens, likely to be human carcinogens, as described in the "List of Chemicals Evaluated
19 for Carcinogenic Potential," or known to the State of California to cause cancer as listed in the
20 California Safe Drinking Water Act (Chapter 4 (commencing with Section 116270) of Part 12
21 of the California Health and Safety Code).

22 (c) Manufacturers should ~~shall~~ not replace *bisphenol-A* and phthalates pursuant to this
23 Chapter with reproductive toxicants that cause birth defects, reproductive harm, or
24 developmental harm as identified by the United States Environmental Protection Agency or
25

1 listed in the California Safe Drinking Water Act (Chapter 4 (commencing with Section 116270)
2 of Part 12 of the California Health and Safety Code).

3
4 **SEC. 34.6. IMPLEMENTATION AND ENFORCEMENT.**

5 (a) Within 18 months of the adoption of the ordinance creating this Chapter, the
6 Department of Public Health, in consultation with the Department of the Environment, shall compile
7 and promulgate a list of specific products covered by the provisions of Section 34.4, focusing on toys
8 and child care products likely to be placed in a child's mouth, such as teething rings, rubber ducks,
9 plastic books, and child feeding products, such as bottles, plates, or pacifiers. This list shall be
10 updated on an on-going basis as information becomes available and resources permit, and shall be
11 posted in Departmental web sites.

12 (b) Within 18 months of the adoption of the ordinance creating this Chapter, the Department of
13 Public Health, in consultation with the Department of the Environment, shall develop an
14 implementation plan that includes publicizing the list of proscribed products and notifying merchants
15 and other parties of their responsibilities under the Chapter.

16 (c) Six months after a product has been placed on the Department of Public Health's list of
17 proscribed products under subsection (a), the manufacture, sale, or distribution in commerce within the
18 City of such product may be punished by administrative penalties in the amount of \$100 for the first
19 violation, \$250 for the second violation within a twelve-month period, and \$500 for the third and
20 subsequent violations within a twelve-month period.

21 (d) Twelve months after a product has been placed on the Department of Public Health's list of
22 proscribed products under subsection (a), the manufacture, sale, or distribution in commerce within the
23 City of such product shall be a misdemeanor, punishable by a fine of up to \$1,000, imprisonment in the
24 county jail for a term not to exceed six months, or both..

1 (e) For purposes of subsections (c) and (d), each individual item that is manufactured, sold, or
2 distributed in commerce contrary to the provisions of this Chapter shall constitute a separate violation.

3 (f) Any person or entity who manufactures, sells, or distributes in commerce within the City any
4 toy or child care product capable of being likely to be placed in a child's mouth, or any child feeding
5 product, shall advise the Department of the Environment of all information in its possession, custody,
6 or control that reasonably may demonstrate that the product has been made with or contains the
7 phthalates listed in Section 34.4 in concentrations exceeding 0.1 percent.

8 (g) The Department of Public Health, in consultation with the Department of the Environment,
9 shall may issue rules and regulations necessary or appropriate for the implementation and
10 enforcement of this Chapter. The regulations shall describe the roles of City agencies and the
11 responsibilities of retailers, distributors, and manufacturers of toys, child care products, and
12 child feeding products doing business in the City. The Department may, shall by regulation,
13 require retailers and distributors of toys, child care products, and child feeding products doing
14 business in the City to take reasonable steps to obtain and forward to the Department
15 information from manufacturers regarding the phthalate content of such products.

16 (h) Violations of any Departmental regulations issued pursuant to this Article may be
17 punished by administrative penalties in the amount of \$100 for the first violation, \$250 for the
18 second violation of the same regulation within a twelve-month period, and \$500 for the third
19 and subsequent violations of the same regulation within a twelve-month period.

20
21 **SEC. 34.7. TOYS, CHILD CARE PRODUCTS, AND CHILD FEEDING PRODUCTS MADE**
22 **WITH BISPHENOL-A.**
23
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1 The Board of Supervisors urges the State of California to continue its investigations into the
2 health effects of Bisphenol-A and to identify safer alternatives to its use, especially in toys, child care
3 products, and child feeding products.

4 If, by January 1, 2008, the State of California has not banned or significantly restricted the use
5 of Bisphenol-A in toys, child care products, and child feeding products, the Department of Public
6 Health, in consultation with the Department of the Environment, shall make recommendations
7 to the Board of Supervisors on regulating the manufacture, sale, or distribution in commerce within
8 the City of such products and the Board of Supervisors shall conduct hearings on those
9 recommendations.

10
11 **SEC. 34.8. DISCLAIMER.**

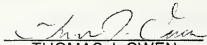
12 In adopting and implementing this Chapter, the City and County of San Francisco is assuming
13 an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its
14 officers and employees, an obligation for breach of which it is liable in money damages to any person
15 who claims that such breach proximately caused injury.

16
17 **SEC. 34.9. SEVERABILITY.**

18 If any of the provisions of this Chapter or the application thereof to any Person or circumstance
19 is held invalid, the remainder of those provisions, including the application of such part or provisions
20 to persons or circumstances other than those to which it is held invalid, shall not be affected thereby
21 and shall continue in full force and effect. To this end, the provisions of this Chapter are severable.
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1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

3
4 By:


5 THOMAS J. OWEN
6 Deputy City Attorney
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 070078

Date Passed:

Ordinance amending the San Francisco Health Code by re-numbering and amending Sections 34.1 through 34.3 and adding new Sections 34.1, 34.2, and 34.6 through 34.9, to: re-state the ban on toys, child care products, and child feeding products made with certain phthalates; repeal the ban on toys, child care products, and child feeding products made with Bisphenol-A, pending State action; add a new title and findings; provide for implementation and enforcement, including administrative and criminal penalties; and, add disclaimer of liability and severability clauses.

April 10, 2007 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

April 10, 2007 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

April 17, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

April 17, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

File No. 070078

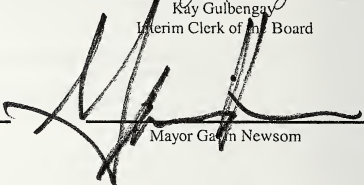
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 17, 2007 by
the Board of Supervisors of the City and
County of San Francisco.



Kay Gulbengay
Interim Clerk of the Board

APR 27 2007

Date Approved



Mayor Gavin Newsom

FILE NO. 061688

ORDINANCE NO.

87-07

[Zoning -Use of TDRs.]

Ordinance amending the San Francisco Planning Code by amending Sections 123, 124, and 128 to address use of Transferable Development Rights (TDRs) under specified circumstances; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

Note: Additions are single-underline italics Times New Roman;
deletions are ~~striketrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. 17379, and incorporates those reasons herein by reference. A copy of said Planning Commission resolution is on file with the Clerk of the Board of Supervisors in File No. 061688.

(b) The Board of Supervisors finds that this ordinance is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1(b) for the reasons set forth in Planning Commission Resolution No. 17379, and incorporates those reasons herein by reference.

(c) The Planning Department has completed environmental review of this ordinance pursuant to the California Environmental Quality Act ("CEQA"), the CEQA Guidelines,

DOCUMENTS DEPT.

MAY 22 2007

Supervisor Daly
BOARD OF SUPERVISORS

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Chapter 31 of the San Francisco Administrative Code. Documentation of that review is on file with the Clerk of the Board of Supervisors in File No. 061688.

Section 2. The San Francisco Planning Code is hereby amended by amending Section 123, to read as follows:

SEC. 123. MAXIMUM FLOOR AREA RATIO.

(a) The limits upon the floor area ratio of buildings, as defined by this Code, shall be as stated in this Section and Sections 124 through 128. The maximum floor area ratio for any building or development shall be equal to the sum of the basic floor area ratio for the district, as set forth in Section 124, plus any premiums and floor area transfers which are applicable to such building or development under Sections 125, 127 and 128, and as restricted by the provisions of Sections 123(c) and (d) and 124(b) and (j).

(b) No building or structure or part thereof shall be permitted to exceed, except as stated in Sections 172 and 188 of this Code, the floor area ratio limits herein set forth for the district in which it is located.

(c) The amount of TDR that may be transferred to a development lot, as allowed by Section 128, is limited as follows:

(1) The gross floor area of a structure on a lot in the C-3-O and C-3-O (SD) Districts may not exceed a floor area ratio of 18 to 1;

(2) The gross floor area of a structure on a lot in the C-3-R, C-3-G and C-3-S Districts may not exceed a floor area ratio that is 1 1/2 times the basic floor area limit for the district as provided in Section 124. This section shall not apply to the C-3-S (SU) District.

(d) The gross floor area of a structure on a lot on which is or has been located a Significant or Contributory Building may not exceed the basic floor area ratio limits stated in Section 124 except as provided in Sections 128(c)(2) and 124(f).

Section 3. The San Francisco Planning Code is hereby amended by amending Section 124, to read as follows:

SEC. 124. BASIC FLOOR AREA RATIO.

(a) Except as provided in Subsections (b), (c) and (e) of this Section, the basic floor area ratio limits specified in the following table shall apply to each building or development in the districts indicated.

TABLE 124

BASIC FLOOR AREA RATIO LIMITS

TABLE INSET:

District	Basic Floor Area Ratio Limit
RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2	1.8 to 1
RM-3	3.6 to 1
RM-4	4.8 to 1
RC-1, RC-2	1.8 to 1
RC-3	3.6 to 1
RC-4	4.8 to 1

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RED	1.0 to 1
RSD, SPD	1.8 to 1
NC-1	1.8 to 1
NC-S	
Inner Clement	
Inner Sunset	
Outer Clement	
Haight	
North Beach	
Sacramento	
24th Street--Noe Valley	2.5 to 1
West Portal	
NC-2	
Broadway	
Upper Fillmore	
Polk	
Valencia	
24th Street-Mission	

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Castro	3.0 to 1
Hayes-Gough	
Upper Market	
Union	
NC-3	3.6 to 1
Chinatown R/NC	1.0 to 1
Chinatown VR	2.0 to 1
Chinatown CB	2.8 to 1
C-1, C-2	3.6 to 1
C-2-C	4.8 to 1
C-3-C	6.0 to 1
C-3-O	9.0 to 1
C-3-R	6.0 to 1
C-3-G	6.0 to 1
C-3-S	5.0 to 1
C-3-O (SD)	6.0 to 1
C-3-S (SU)	7.5 to 1
C-M	9.0 to 1

M-1, M-2	5.0 to 1
SLR, SLI	2.5 to 1
SSO and in a 40 or 50 foot height district	3.0 to 1
SSO and in a 65 or 80 foot height district	4.0 to 1
SSO and in a 130 foot height district	4.5 to 1

(b) In R, NC, and Mixed Use Districts, the above floor area ratio limits shall not apply to dwellings or to other residential uses. In NC Districts, the above floor area ratio limits shall also not apply to nonaccessory off-street parking. In Chinatown Mixed Use Districts, the above floor area ratio limits shall not apply to institutions, and mezzanine commercial space shall not be calculated as part of the floor area ratio.

(c) In a C-2 District the basic floor area ratio limit shall be 4.8 to 1 for a lot which is nearer to an RM-4 or RC-4 District than to any other R District, and 10.0 to 1 for a lot which is nearer to a C-3 District than to any R District. The distance to the nearest R District or C-3 District shall be measured from the midpoint of the front line, or from a point directly across the street therefrom, whichever gives the greatest ratio.

(d) In the Van Ness Special Use District, as described in Section 243 of this Code, the basic floor area ratio limit shall be 7.0 to 1 where the height limit is 130 feet and 4.5 to 1 where the height limit is 80 feet.

(e) In the Waterfront Special Use Districts, as described in Sections 240 through 240.3 of this Code, the basic floor area ratio limit in any C District shall be 5.0 to 1.

(f) For buildings in C-3-G and C-3-S Districts other than those designated as Significant or Contributory pursuant to Article 11 of this Code, additional square footage above that permitted by the base floor area ratio limits set forth above may be approved for

1 construction of dwellings on the site of the building affordable for 20 years to households
2 whose incomes are within 150 percent of the median income as defined herein, in accordance
3 with the conditional use procedures and criteria as provided in Section 303 of this Code. For
4 buildings in the C-3-G District designated as Significant or Contributory pursuant to Article 11 of this
5 Code, additional square footage above that permitted by the base floor area ratio limits set forth above
6 up to the gross floor area of the existing building may be approved, in accordance with the conditional
7 use procedures and criteria as provided in Section 303 of this Code, where: (i) TDRs (as defined by
8 Section 128(a)(5)) were transferred from the lot containing the Significant or Contributory building
9 prior to the effective date of the amendment to Section 124(f) adding this paragraph when the floor
10 area transferred was occupied by a non-profit corporation or institution meeting the requirements for
11 exclusion from gross floor area calculation under Planning Code Section 102.9(b)(15); (ii) the
12 additional square footage includes only the amount necessary to accommodate dwelling units and/or
13 group housing units that are affordable for not less than 2050 years to households whose incomes
14 are within 60 percent of the median income as defined herein together with any social, educational,
15 and health service space accessory to such dwelling units; and (iii) the proposed change in use to
16 dwelling units and accessory space and any construction associated therewith, if it requires any
17 alternation to the exterior or other character defining features of the Significant or Contributory
18 Building, is undertaken pursuant to the duly approved Permit to Alter, pursuant to Section 1110;
19 provided, however, that the procedures otherwise required for a Major Alteration as set forth in
20 sections 1111.2-1111.6 shall be deemed applicable to any such Permit to Alter.

21 (1) Any dwelling approved for construction under this provision shall be
22 deemed a "designated unit" as defined below. Prior to the issuance by the Director of the
23 Department of Building Inspection ("Director of Building Inspection") of a site or building
24 permit to construct any designated unit subject to this Section, the permit applicant shall notify
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1 the Director of Planning and the Director of Property in writing whether the unit will be an
2 owned or rental unit as defined in Section 313(a) of this Code.

3 (2) Within 60 days after the issuance by the Director of Building Inspection of a
4 site or building permit for construction of any unit intended to be an owned unit, the Director of
5 Planning shall notify the City Engineer in writing identifying the intended owned unit, and the
6 Director of Property shall appraise the fair market value of such unit as of the date of the
7 appraisal, applying accepted valuation methods, and deliver a written appraisal of the unit to
8 the Director of Planning and the permit applicant. The permit applicant shall supply all
9 information to the Director of Property necessary to appraise the unit, including all plans and
10 specifications.

11 (3) Each designated unit shall be subject to the provisions of Section 313(i) of
12 this Code. For purposes of this Subsection and the application of Section 313(i) of this Code
13 to designated units constructed pursuant to this Subsection, the definitions set forth in Section
14 313(a) shall apply, with the exception of the following definitions, which shall supersede the
15 definitions of the terms set forth in Section 313(a):

16 (A) "Base price" shall mean 3.25 times the median income for a family of four
17 persons for the County of San Francisco as set forth in California Administrative Code Section
18 6932 on the date on which a housing unit is sold.

19 (B) "Base rent" shall mean .45 times the median income for the County of San
20 Francisco as set forth in California Administrative Code Section 6932 for a family of a size
21 equivalent to the number of persons residing in a household renting a designated unit.

22 (C) "Designated unit" shall mean a housing unit identified and reported to the
23 Director by the sponsor of an office development project subject to this Subsection as a unit
24 that shall be affordable to households of low or moderate income for 20 years.

1 (D) "Household of low or moderate income" shall mean a household composed
2 of one or more persons with a combined annual net income for all adult members which does
3 not exceed 150 percent of the qualifying limit for a median income family of a size equivalent
4 to the number of persons residing in such household, as set forth for the County of San
5 Francisco in California Administrative Code Section 6932.

6 (E) "Sponsor" shall mean an applicant seeking approval for construction of a
7 project subject to this Subsection and such applicants' successors and assigns.

8 (g) The allowable gross floor area on a lot which is the site of an unlawfully
9 demolished building that is governed by the provisions of Article 11 shall be the gross floor
10 area of the demolished building for the period of time set forth in, and in accordance with the
11 provisions of, Section 1114 of this Code, but not to exceed the basic floor area permitted by
12 this Section.

13 (h) In calculating the permitted floor area of a new structure in a C-3 District, the lot on
14 which an existing structure is located may not be included unless the existing structure and
15 the new structure are made part of a single development complex, the existing structure is or
16 is made architecturally compatible with the new structure, and, if the existing structure is in a
17 Conservation District, the existing structure meets or is made to meet the standards of Section
18 1109(c), and the existing structure meets or is reinforced to meet the standards for seismic
19 loads and forces of the 1975 Building Code. Determinations under this Paragraph shall be
20 made in accordance with the provisions of Section 309.

21 (i) In calculating allowable gross floor area on a preservation lot from which any TDRs
22 have been transferred pursuant to Section 128, the amount allowed herein shall be decreased
23 by the amount of gross floor area transferred.
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1 (j) Within any RSD, SPD, SLR, SLI or SSO District, live/work units constructed above
2 the floor area ratio limit pursuant to Section 102.9(b)(19) of this Code shall be subject to the
3 following conditions and standards:

4 (1) Considering all dwelling units and all live/work units on the lot, existing and
5 to be constructed, there shall be no more than one live/work unit and/or dwelling unit per 200
6 square feet of lot area, except that, for projects in the RSD District which will exceed 40 feet in
7 height, and therefore are required to obtain conditional use approval, the allowable density for
8 dwelling units and live/work units shall be established as part of the conditional use
9 determination; and

10 (2) The parking requirement for live/work units subject to this subsection shall
11 be equal to that required for dwelling units within the subject district.

12 Section 4. The San Francisco Planning Code is hereby amended by amending Section
13 128, to read as follows:

14 SEC. 128. TRANSFER OF DEVELOPMENT RIGHTS IN C-3 DISTRICTS.

15 (a) Definitions.

16 (1) "Development Lot." A lot to which TDR may be transferred to increase the
17 allowable gross floor area of development thereon beyond that otherwise permitted by Section
18 124.

19 (2) "Owner of Record." The owner or owners of record in fee.

20 (3) "Preservation Lot." A parcel of land on which is either (i) a Significant or
21 Contributory building (as designated pursuant to Article 11); or (ii) a Category V Building that
22 has complied with the eligibility requirement for transfer of TDR as set forth in Section
23 1109(c); or (iii) a structure designated a landmark pursuant to Article 10 of this Code. The
24 boundaries of the Preservation Lot shall be the boundaries of the Assessor's lot on which the
25

building is located at the time the ordinance or, as to Section 1109(c), resolution, making the designation is adopted, unless boundaries are otherwise specified in the ordinance.

(4) "Transfer Lot." A Preservation Lot located in a C-3 District from which TDR may be transferred. A lot zoned P (public) may in no event be a Transfer Lot, unless a building on that lot is (i) owned by the City and County of San Francisco, and (ii) located in a P District adjacent to a C-3 District, and (iii) designated as an historical landmark by Article 10 of this Code or designated as a Category I Significant Building by Article 11 of this Code and listed as a National Historical Landmark on the National Historical Register, and (iv) the TDR proceeds are used to finance, in whole or in part, a project to rehabilitate and restore the building in accordance with the Secretary of Interior standards. For the purposes of Section 128(b), a lot zoned P which satisfies the criteria of this subsection (4) to qualify as a "Transfer Lot" shall be deemed to have an allowable gross floor area of 7.5:1 under Section 124.

(5) "Transferable Development Rights (TDR)." Units of gross floor area which may be transferred, pursuant to the provisions of this Section and Article 11 of this Code, from a Transfer Lot to increase the allowable gross floor area of a development on a Development Lot.

(6) "Unit of TDR." One unit of TDR is one square foot of gross floor area.

(b) Amount of TDR Available for Transfer. The maximum TDR available for transfer from a Transfer Lot consists of the difference between (aa) the allowable gross floor area permitted on the Transfer Lot by Section 124 and (bb) the gross floor area of the development located on the Transfer Lot.

(c) Eligibility of Development Lots and Limitation on Use of TDR on Development Lots. TDR may be used to increase the allowable gross floor area of a development on a Development Lot if the following requirements and restrictions are satisfied:

1 (1) (i) The Transfer Lot and the Development Lot are located in the same C-3
2 Zoning District, or (ii) the Transfer Lot is located in a C-3-O, or C-3-R District and the
3 Development Lot is located in the C-3-O(SD) Special Development District; or (iii) the Transfer
4 Lot is a Preservation Lot that contains a Significant building and is located in the Extended
5 Preservation District or a C-3-G or C-3-S District and the Development Lot is located in the C-
6 3-O(SD) Special District, or (iv) the Transfer Lot is in a C-3-R District or a District designated
7 C-3-O (SD) in the Yerba Buena Center Redevelopment Plan and is located in the Yerba
8 Buena Center Redevelopment Project Area and the Development Lot is located in a C-3-O
9 District; or (v) the Transfer Lot is in a P District adjacent to a C-3 District and meets the
10 requirements established in subsection (a)(4) above and the Development Lot is located in a
11 C-3 District.

12 (2) TDR may not be transferred for use on any lot on which is or has been
13 located a Significant or Contributory building; provided that this restriction shall not apply if the
14 designation of a building is changed to Unrated; nor shall it apply if the City Planning
15 Commission finds that the additional space resulting from the transfer of TDR is essential to
16 make economically feasible the reinforcement of a Significant or Contributory building to meet
17 the standards for seismic loads and forces of the 1975 Building Code, in which case TDR may
18 be transferred for that purpose subject to the limitations of this Section and Article 11,
19 including Section 1111.6. Any alteration shall be governed by the requirements of Sections
20 1111 to 1111.6.

21 (3) Notwithstanding any other provision of this Section, development on a
22 Development Lot is limited by the provisions of this Code, other than those on floor area ratio,
23 governing the approval of projects, including the requirements relating to height, bulk,
24 setback, sunlight access, and separation between towers, and any limitations imposed
25

1 pursuant to Section 309 review applicable to the Development Lot. The total allowable gross
2 floor area of a development on a Development Lot may not exceed the limitation imposed by
3 Section 123(c).

4 (d) Effect of Transfer of TDR.

5 (1) Transfer of TDR from a Transfer Lot permanently reduces the development
6 potential of the Transfer Lot by the amount of the TDR transferred, except as provided in Section
7 124(f). In addition, transfer of TDR from a Preservation Lot containing a Contributory building
8 or a landmark designated pursuant to Article 10 causes such building to become subject to
9 the same restrictions on demolition and alteration, and the same penalties and enforcement
10 remedies, that are applicable to Significant buildings Category I, as provided in Article 11.

11 (e) Procedure for Determining TDR Eligibility.

12 (1) In order to obtain a determination of whether a lot is a Transfer Lot and, if it
13 is, of the amount of TDR available for transfer, the owner of record of the lot may file an
14 application with the Zoning Administrator for a Statement of Eligibility. The application for a
15 Statement of Eligibility shall contain or be accompanied by plans and drawings and other
16 information which the Zoning Administrator determines is necessary in order to determine
17 whether a Statement of Eligibility can be issued. Any person who applies for a Statement of
18 Eligibility prior to expiration of the time for request of reconsideration of designation authorized
19 in Section 1105 shall submit in writing a waiver of the right to seek such reconsideration.

20 (2) The Zoning Administrator shall, upon the filing of an application for a
21 Statement of Eligibility and the submission of all required information, issue either a proposed
22 Statement of Eligibility or a written determination that no TDR are available for transfer and
23 shall mail that document to the applicant and to any other person who has filed with the
24 Zoning Administrator a written request for a copy. Any appeal of the proposed Statement of
25

1 Eligibility or determination of noneligibility shall be filed with the Board of Permit Appeals
2 within 20 days of the date of issuance of the document. If not appealed, the proposed
3 Statement of Eligibility or the determination of noneligibility shall become final on the 21st day
4 after the date of issuance. The Statement of Eligibility shall contain at least the following
5 information: (i) the name of the owner of record of the Transfer Lot; (ii) the address, legal
6 description and Assessor's Block and Lot of the Transfer Lot; (iii) the C-3 use district within
7 which the Transfer Lot is located; (iv) whether the Transfer Lot is a Preservation Lot or
8 Development Lot; (v) if a Preservation Lot, whether the Transfer Lot contains a Significant or
9 Contributory building, a Category V building, or an Article 10 landmark; (vi) the amount of TDR
10 available for transfer; and (vii) the date of issuance.

11 (3) Once the proposed Statement of Eligibility becomes final, whether through
12 lack of appeal or after appeal, the Zoning Administrator shall record the Statement of Eligibility
13 in the Office of the County Recorder. The County Recorder shall be instructed to mail the
14 original of the recorded document to the owner of record of the Transfer Lot and, if a copy of
15 the document is presented at the time of the recordation, shall conform the copy and mail it to
16 the Zoning Administrator.

17 (f) Cancellation of Eligibility.

18 (1) If reasonable grounds should at any time exist for determining that a
19 building on a Preservation Lot may have been altered or demolished in violation of Articles 10
20 or 11, including Sections 1110 and 1112 thereof, the Zoning Administrator may issue and
21 record with the County Recorder a Notice of Suspension of Eligibility for the affected lot and,
22 in cases of demolition of a Significant or Contributory building, a notice that the restriction on
23 the floor area ratio of a replacement building, pursuant to Section 1114, may be applicable
24 and shall mail a copy of such notice to the owner of record of the lot. The notice shall provide
25

1 that the property owner shall have 20 days from the date of the notice in which to request a
2 hearing before the Zoning Administrator in order to dispute this initial determination. If no
3 hearing is requested, the initial determination of the Zoning Administrator is deemed final on
4 the twenty-first day after the date of the notice, unless the Zoning Administrator has
5 determined that the initial determination was in error.

6 (2) If a hearing is requested, the Zoning Administrator shall notify the property
7 owner of the time and place of hearing, which shall be scheduled within 21 days of the
8 request, shall conduct the hearing, and shall render a written determination within 15 days
9 after the close of the hearing. If the Zoning Administrator shall determine that the initial
10 determination was in error, that officer shall issue and record a Notice of Revocation of
11 Suspension of Eligibility. Any appeal of the determination of the Zoning Administrator shall be
12 filed with the Board of Permit Appeals within 20 days of the date of the written determination
13 following a hearing or, if no hearing has been requested, within 20 days after the initial
14 determination becomes final.

15 (3) If after an appeal to the Board of Permit Appeals it is determined that an
16 unlawful alteration or demolition has occurred, or if no appeal is taken of the determination by
17 the Zoning Administrator of such a violation, the Zoning Administrator shall record in the
18 Office of the County Recorder a Notice of Cancellation of Eligibility for the lot, and shall mail to
19 the property owner a conformed copy of the recorded Notice. In the case of demolition of a
20 Significant or Contributory Building, the Zoning Administrator shall record a Notice of Special
21 Restriction noting the restriction on the floor area ratio of the Preservation Lot pursuant to the
22 provisions of Section 1114, and shall mail to the owner of record a certified copy of the Notice.
23 If after an appeal to the Board of Permit Appeals it is determined that no unlawful alteration or
24 demolition has occurred, the Zoning Administrator shall issue and record a Notice of
25

1 Revocation of Suspension of Eligibility and, if applicable, a Notice of Revocation of the Notice
2 of Special Restriction pursuant to Section 1114, and shall mail conformed copies of the
3 recorded notices to the owner of record.

4 (4) No notice recorded under this Section 128(f) shall affect the validity of TDR
5 that have been transferred from the affected Transfer Lot in compliance with the provisions of
6 this Section prior to the date of recordation of such notice, whether or not such TDR have
7 been used.

8 (g) Procedure for Transfer of TDR.

9 (1) TDR from a single Transfer Lot may be transferred as a group to a single
10 transferee or in separate increments to several transferees. TDR may be transferred either
11 directly from the original owner of the TDR to the owner of a Development Lot or to persons,
12 firms or entities who acquire the TDR from the original owner of the TDR and hold them for
13 subsequent transfer to other persons, firms, entities or to the owners of a Development Lot or
14 Lots.

15 (2) When TDR are transferred, they shall be identified in each Certificate of
16 Transfer by a number. A single unit of TDR transferred from a Transfer Lot shall be identified
17 by the number "1." Multiple units of TDR transferred as a group for the first time from a
18 Transfer Lot shall be numbered consecutively from "1" through the number of units
19 transferred. If a fraction of a unit of TDR is transferred, it shall retain its numerical
20 identification. (For example, if 5,000- 1/2 TDR are transferred in the initial transfer from the
21 Transfer Lot, they would be numbered "1 through 5,000 and one-half of 5,001.") TDR
22 subsequently transferred from the Transfer Lot shall be identified by numbers taken in
23 sequence following the last number previously transferred. (For example if the first units of
24 gross floor area transferred from a Transfer Lot are numbered 1 through 10,000, the next unit
25

transferred would be number 10,001.) If multiple units transferred from a Transfer Lot are subsequently transferred separately in portions, the seller shall identify the TDR sold by numbers which correspond to the numbers by which they were identified at the time of their transfer from the Transfer Lot. (For example, TDR numbered 1 through 10,000 when transferred separately from the Transfer Lot in two equal portions would be identified in the two Certificates of Transfer as numbers 1 through 5,000 and 5,001 through 10,000.) Once assigned numbers, TDR retain such numbers for the purpose of identification through the process of transferring and using TDR. The phrase "numerical identification," as used in this section, shall mean the identification of TDR by numbers as described in this Subsection.

(3) Transfer of TDR from the Transfer Lot shall not be valid unless (i) a Statement of Eligibility has been recorded in the Office of the County Recorder prior to the date of recordation of the Certificate of Transfer evidencing such transfer and (ii) a Notice of Suspension of Eligibility or Notice of Cancellation of Eligibility has not been recorded prior to such transfer or, if recorded, has thereafter been withdrawn by an appropriate recorded Notice of Revocation or a new Statement of Eligibility has been thereafter recorded.

(4) Transfer of TDR, whether by initial transfer from a Transfer Lot or by a subsequent transfer, shall not be valid unless a Certificate of Transfer evidencing such transfer has been prepared and recorded. The Zoning Administrator shall prepare a form of Certificate of Transfer and all transfers shall be evidenced by documents that are substantially the same as the Certificate of Transfer form prepared by the Zoning Administrator, which form shall contain at least the following:

(i) For transfers from the Transfer Lot only:

(aa) Execution and acknowledgment by the original owner of TDR as the transferor(s) of the TDR; and

1 (bb) Execution and acknowledgment by the Zoning Administrator; and
2 (cc) A notice, prominently placed and in all capital letters, preceded by the
3 underlined heading "Notice of Restriction," stating that the transfer of TDR from the Transfer
4 Lot permanently reduces the development potential of the Transfer Lot by the amount of TDR
5 transferred, with reference to the provisions of this Section.

6 (ii) For all transfers:

7 (aa) The address, legal description, Assessor's Block and Lot, and C-3 use
8 district of the Transfer Lot from which the TDR originates; and

9 (bb) The amount of TDR transferred; and

10 (cc) Numerical identification of the TDR being transferred; and

11 (dd) The names and mailing addresses of the transferors and transferees of
12 the TDR; and

13 (ee) Execution and acknowledgment by the transferors and transferees of the
14 TDR; and

15 (ff) A reference to the Statement of Eligibility, including its recorded instrument
16 number and date of recordation, and a recital of all previous transfers of the TDR, including
17 the names of the transferors and transferees involved in each transfer and the recorded
18 instrument number and date of recordation of each Certificate of Transfer involving the TDR,
19 including the transfer from the Transfer Lot which generated the TDR.

20 (5) When a Certificate of Transfer for the transfer of TDR from a Transfer Lot is
21 presented to the Zoning Administrator for execution, that officer shall not execute the
22 document if a transfer of the TDR would be prohibited by any provision of this Section or any
23 other provision of this Code. The Zoning Administrator shall, within five business days from
24 the date that the Certificate of Transfer is submitted for execution, either execute the
25

1 Certificate of Transfer or issue a written determination of the grounds requiring a refusal to
2 execute the Certificate.

3 (6) Each duly executed and acknowledged Certificate of Transfer containing
4 the information required herein shall be presented for recordation in the Office of the County
5 Recorder and shall be recorded by the County Recorder. The County Recorder shall be
6 instructed to mail the original Certificate of Transfer to the person and address designated
7 thereon and shall be given a copy of the Certificate of Transfer and instructed to conform the
8 copy and mail it to the Zoning Administrator.

9 (h) Certification of Transfer of TDR for a Project on a Development Lot.

10 (1) When the use of TDR is necessary for the approval of a building permit for
11 a project on a Development Lot, the Superintendent of the Bureau of Building Inspection shall
12 not approve issuance of the permit unless the Zoning Administrator has issued a written
13 certification that the owner of the Development Lot owns the required number of TDR. When
14 the transfer of TDR is necessary for the approval of a site permit for a project on a
15 Development Lot, the Zoning Administrator shall impose as a condition of approval of the site
16 permit the requirement that the Superintendent of the Bureau of Building Inspection shall not
17 issue the first addendum to the site permit unless the Zoning Administrator has issued a
18 written certification that the owner of the Development Lot owns the required number of TDR.

19 (2) In order to obtain certification as required in Section 128(h)(1), the permit
20 applicant shall present to the Zoning Administrator:

21 (i) Information necessary to enable the Zoning Administrator to prepare the
22 Notice of Use of TDR, which information shall be at least the following:

23 (aa) The address, legal description, Assessor's Block and Lot, and zoning
24 classification of the Development Lot;

1 (bb) The name and address of the owner of record of the Development Lot;
2 (cc) Amount and numerical identification of the TDR being used;
3 (dd) A certified copy of each Certificate of Transfer evidencing transfer to the
4 owner of the Development Lot of the TDR being used; and
5 (ii) A report from a title insurance company showing the holder of record of the
6 TDR to be used, all Certificates of Transfer of the TDR, and all other matters of record
7 affecting such TDR. In addition to showing all such information, the report shall guarantee that
8 the report is accurate and complete and the report shall provide that in the event that its
9 guarantee or any information shown in the report is incorrect, the title company shall be liable
10 to the City for the fair market value of the TDR at the time of the report. The liability amount
11 shall be not less than \$10,000 and no more than \$1,000,000, the appropriate amount to be
12 determined by the Zoning Administrator based on the number of TDR being used.
13 (iii) An agreement whereby the owner of the Development Lot shall indemnify
14 the City against any and all loss, cost, harm or damage, including attorneys' fees, arising out
15 of or related in any way to the assertion of any adverse claim to the TDR, including any loss,
16 cost, harm or damage occasioned by the passive negligence of the City and excepting only
17 that caused by the City's sole and active negligence. The indemnity agreement shall be
18 secured by a first deed of trust on the Development Lot, or other security satisfactory to the
19 Department of City Planning and the City Attorney.
20 (3) If the Zoning Administrator determines that the project applicant has
21 complied with the provisions of Subsection (h)(2) and all other applicable provisions of this
22 Section, and that the applicant is the owner of the TDR, that officer shall transmit to the
23 Superintendent of the Bureau of Building Inspection, with a copy to the project applicant,
24 written certification that the owner of the Development Lot owns the TDR. Prior to transmitting
25

1 such certification, the Zoning Administrator shall prepare a document entitled Notice of Use of
2 TDR stating that the TDR have been used and may not be further transferred, shall obtain the
3 execution and acknowledgment on the Notice of the owner of record of the Development Lot,
4 shall execute and acknowledge the Notice, shall record it in the Office of the County
5 Recorder, and shall mail to the owner of record of the Development Lot a conformed copy of
6 the recorded Notice. If the Zoning Administrator determines that the project applicant is not
7 the owner of the TDR, or has not complied with all applicable provisions of this Section, that
8 determination shall be set forth in writing along with the reasons therefor. The Zoning
9 Administrator shall either transmit certification or provide a written determination that
10 certification is inappropriate within 10 business days after the receipt of all information
11 required pursuant to Subsection (h)(2).

12 (i) Cancellation of Notice of Use; Transfer from Development Lot.

13 (1) The owner of a Development Lot for which a Notice of Use of TDR has
14 been recorded may apply for a Cancellation of Notice of Use if (i) the building permit or site
15 permit for which the Notice of Use was issued expires or was revoked or cancelled prior to
16 completion of the work for which such permit was issued and the work may not be carried out;
17 or (ii) any administrative or court decision is issued or any ordinance or initiative or law is
18 adopted which does not allow the applicant to make use of the permit; or (iii) a portion or all of
19 such TDR are not used.

20 (2) If the Zoning Administrator determines that the TDR have not been and will
21 not be used on the Development Lot based on the reasons set forth in subsection (i)(1), the
22 Zoning Administrator shall prepare the Cancellation of Notice of Use of TDR. If only a portion
23 of the TDR which had been acquired are not being used, the applicant may identify which
24 TDR will not be used and the Cancellation of Notice of Use of TDR shall apply only to those
25

1 TDR. The Zoning Administrator shall obtain on the Cancellation of Notice of Use of TDR the
2 signature and acknowledgment of the owner of record of the Development Lot as to which the
3 Notice of Use of TDR was recorded, shall execute and acknowledge the document, and shall
4 record it in the office of the County Recorder.

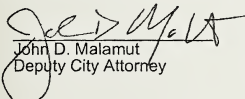
5 (3) Once a Cancellation of Notice of Use of TDR has been recorded, the owner
6 of the Development Lot may apply for a Statement of Eligibility in order to transfer the TDR
7 identified in that document. The procedures and requirements set forth in this Section
8 governing the transfer of TDR shall apply to the transfer of TDR from the owner of a
9 Development Lot after a Notice of Use has been filed, except for the provisions of this Section
10 permanently restricting the development potential of a Transfer Lot upon the transfer of TDR;
11 provided, however, that the district or districts to which the TDR may be transferred shall be
12 the same district or districts to which TDR could have been transferred from the Transfer Lot
13 that generated the TDR.

14 (j) Erroneous Notice of Use; Revocation of Permit. If the Zoning Administrator
15 determines that a Notice of Use of TDR was issued or recorded in error, that officer may direct
16 the Superintendent of the Bureau of Building Inspection to suspend any permit issued for a
17 project using such TDR, in which case the Superintendent shall comply with that directive.
18 The Zoning Administrator shall thereafter conduct a noticed hearing in order to determine
19 whether the Notice of Use of TDR was issued or recorded in error. If it is determined that the
20 Notice of Use of TDR was issued or recorded in error, the Superintendent of the Bureau of
21 Building Inspection shall revoke the permit; provided, however, that no permit authorizing
22 such project shall be revoked if the right to proceed thereunder has vested under California
23 law. If it is determined that the Notice of Use of TDR was not issued or recorded in error, the
24 permit shall be reinstated.

1 (k) Effect of Repeal or Amendment. TDR shall convey the rights granted herein only
2 so long and to the extent as authorized by the provisions of this Code. Upon repeal of such
3 legislative authorization, TDR shall thereafter convey no rights or privileges. Upon amendment
4 of such legislative authorization, TDR shall thereafter convey only such rights and privileges
5 as are permitted under the amendment. No Statement of Eligibility shall convey any right to
6 use, transfer or otherwise utilize TDR if the maximum floor area ratio for the Transfer Lot is
7 reduced after the Statement of Eligibility is issued.

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9
10 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

11 By:

12 
13 John D. Malamut
14 Deputy City Attorney
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 061688

Date Passed:

Ordinance amending the San Francisco Planning Code by amending Sections 123, 124, and 128 to address use of Transferable Development Rights (TDRs) under specified circumstances; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

April 10, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 17, 2007 Board of Supervisors — FINALLY PASSED

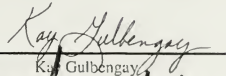
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 061688

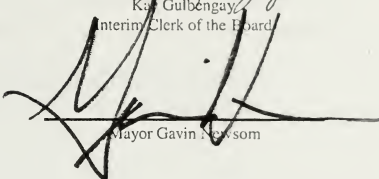
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 17, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

APR 27 2007

Date Approved


Kay Gulbengaz

Interim Clerk of the Board


Mayor Gavin Newsom

[Amending certain Traffic Code penalty provisions to delete outdated penalties and provisions that are repetitive of state law.]

Ordinance amending the Traffic Code by amending Sections 33.5, 37(c) and 56, and repealing Sections 38.F, 58 ½, and 130 to eliminate provisions that are repetitive of state law and remove outdated penalty provisions for school bus loading zone violations, violations of parking prohibitions for street cleaning, red, green white and blue zone violations, and parking violations on median dividers and traffic islands.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~striketrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Traffic Code is hereby amended by amending Section 33.5. to read as follows:

SEC. 33.5. SPECIAL SCHOOL BUS LOADING ZONES.

The Department of Parking and Traffic shall, upon written request from School Administration officials, designate a special school bus loading zone at or near all kindergarten through grade twelve school sites that utilize school buses to transport school children, as reasonably necessary or desirable for the regulation of traffic or safety of school children. These zones shall prohibit the stopping, standing or parking of unauthorized vehicles in such special school bus loading zones between the hours of 7:00 a.m. and 4:00 p.m. or any portion thereof as determined by the Director of the Department of Parking and Traffic on any day except Saturday and Sunday and any day declared to be a school holiday by the Board of Education.

DOCUMENTS DEPT.

SUPERVISOR McGOLDRICK
Municipal Transportation Agency
BOARD OF SUPERVISORS

MAY 22 2007

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1 The term "school bus" as used in this Section shall mean any motor vehicle designed,
2 used or maintained primarily for the transportation of school children and as defined in Section
3 545 of the Vehicle Code of the State of California.

4 Nothing in this Article shall be construed to prohibit motor vehicles from standing,
5 stopping or parking within any zone heretofore or hereinafter provided for the loading or
6 unloading of passengers subject to the provisions of Section 38.C of this Code.

7 The curbs of zones declared to be school loading zones shall be painted white in color
8 and the words "SCHOOL LOADING ZONE" shall be painted white in red upon the curb. The
9 school bus loading zone shall have appropriate signage on either end of said zone.

10 ~~Any person violating the provisions of this Section 33.5 shall be deemed guilty of an infraction~~
11 ~~and upon conviction thereof shall be punished by a fine of not less than \$5 nor more than \$50.~~

12 Section 2. The San Francisco Traffic Code is hereby amended by amending Section
13 37(c), to read as follows:

14 **SEC. 37(c). PARKING PROHIBITED FOR STREET CLEANING.**

15 No person shall park any vehicle on that side of any street on the days, and between
16 the hours, designated by the Board of Supervisors for the purpose of street cleaning. Each
17 side of each street shall be posted with signs giving notice of the days, and the hours, of the
18 parking prohibition effective on that side of the street. This prohibition shall not apply to a
19 vehicle which, after the mechanized street-sweeper has passed, is then parked on a restricted
20 side of the street during the posted hours.

21 ~~Any person violating the provisions of this Section 37(c) shall be deemed guilty of an infraction~~
22 ~~and upon conviction thereof shall be punished by a fine of \$30.~~

23 Section 3. The San Francisco Traffic Code is hereby amended by repealing Section
24 38.F, to read as follows:

1 ~~SEC. 38.F. PENALTY—RED, GREEN, WHITE AND BLUE ZONES.~~

2 Any person violating the provisions of Sections 38.A, 38.C, 38.D and 38.K of this Code, with respect to
3 the zones indicated with a red, green, white or blue curb marking, shall be deemed guilty of an
4 infraction and upon conviction thereof shall be punished by a fine of not less than \$20, nor more than
5 \$100, except that the fine for a green zone shall be not less than \$10, nor more than \$50.

6 Section 4. The San Francisco Traffic Code is hereby amended by amending Section
7 56, to read as follows:

8 **SEC. 56. PARKING ADJACENT TO OR ON MEDIAN DIVIDERS OR TRAFFIC**
9 **ISLANDS.**

10 It shall be unlawful for an operator of a vehicle to stand or park such vehicle adjacent to
11 or on any traffic island, lines painted or structures constructed on the roadway for the purpose
12 of separating opposing traffic or guiding traffic flows except when necessary in obedience to
13 traffic regulations, traffic-control signal devices, signs, or police officers. ~~Any person violating~~
14 ~~this Section shall be guilty of an infraction and upon conviction thereof shall be punished by a fine of~~
15 ~~\$5.~~

16 Section 5. The San Francisco Traffic Code is hereby amended by repealing Section 58
17 ½, to read as follows:

18 ~~SEC. 58 1/2. PENALTY.~~

19 ~~Any person, firm or corporation violating any provision of Section 58 of this Article shall be~~
20 ~~guilty of an infraction and upon conviction thereof shall be punished by a fine of not less than \$20 nor~~
21 ~~more than \$100, except that any person, firm or corporation violating any provision of Section 58 of~~
22 ~~this Article and who as a consequence is involved in an accident with any person or real or personal~~
23 ~~property shall be guilty of an infraction and upon conviction thereof shall be punished by a fine of not~~
24 ~~less than \$25 nor more than \$100.~~

1 Section 6. The San Francisco Traffic Code is hereby amended by repealing Section
2 130, to read as follows:

3 SEC. 130. PENALTIES.

4 ~~Pursuant to Section 42001 of the California Vehicle Code, any person violating any of the provisions of~~
5 ~~this Chapter shall be guilty of an infraction and upon conviction thereof shall be punished for the first~~
6 ~~offense by a fine not to exceed \$100; for the second offense within a period of one year from the date of~~
7 ~~the first offense by a fine not to exceed \$200; for a third and each additional offense committed within~~
8 ~~one year from the date of the first offense by a fine not to exceed \$250. In addition, except as provided~~
9 ~~in other provisions of this Chapter providing authorization for removal of vehicles, any officer of the~~
10 ~~Police Department or any Parking Control Officer is hereby authorized to remove or cause to have~~
11 ~~removed any vehicle that is parked or left standing unattended in violation of the California Vehicle~~
12 ~~Code or the San Francisco Traffic Code and where signs are posted giving notice of removal for such~~
13 ~~violation. The procedure for removal and impounding of vehicles shall be as is provided for in Article 9~~
14 ~~of the San Francisco Traffic Code and Section 22850 and 22854 of the California Vehicle Code.~~

15
16 APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

17
18 By:


19 DAVID A. GREENBURG
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070229

Date Passed:

Ordinance amending the Traffic Code by amending Sections 33.5, 37(c) and 56, and repealing Sections 38.F, 58 ½, and 130 to eliminate provisions that are repetitive of state law and remove outdated penalty provisions for school bus loading zone violations, violations of parking prohibitions for street cleaning, red, green white and blue zone violations, and parking violations on median dividers and traffic islands.

April 10, 2007 Board of Supervisors — PASSED ON FIRST READING

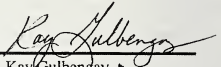
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 17, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070229

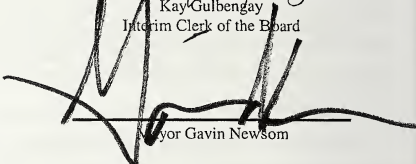
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 17, 2007 by
the Board of Supervisors of the City and
County of San Francisco.



Kay Gulbengay
Interim Clerk of the Board

APR 27 2007

Date Approved



Mayor Gavin Newsom

[Approving Zoning Map Amendments for the Trinity Plaza Project at Market and 8th Streets.]

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1H of the Zoning Map of the City and County of San Francisco to change the height and bulk classification of the property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets from height and bulk classifications of 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; amending Sectional Map 1SU of the Zoning Map of the City and County of San Francisco to add the Trinity Plaza Special Use District; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough-italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

A. On February 17, 2006, the Project Sponsor filed an application for an amendment of Sectional Map No. 1H of the Zoning Map of the City and County of San Francisco to change the height and bulk classification of the property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets ("Project Site") from height and bulk classifications of 120-X, 150-X and

DOCUMENTS DEPT.

MAY 22 2007

1 240-S to 160-X, 180-X and 240-S, and for an amendment of Sectional Map No. 1SU to create
2 the Trinity Plaza Special Use District (collectively, the "Proposed Zoning Map Amendments").

3 B. The Proposed Zoning Map Amendments are part of a project proposed by the
4 Project Sponsor to demolish an existing 4- to-7 story apartment building at the Project Site
5 that contains 377 residential rental units (including 360 rent-controlled units), a ground-floor
6 restaurant, and surface and below-grade parking for approximately 450 vehicles, and replace
7 it with three buildings—ranging in height from 148 feet to 223 feet and totaling approximately
8 1,943,000 gross square feet—which would contain residential units, retail/personal services at
9 street level, off-street accessory parking, and open space ("Project").

10 C. The Project Sponsor has also filed applications for: (1) approval of a
11 Development Agreement under Administrative Code Chapter 56; (2) a General Plan
12 Amendment under Planning Code Section 340; (3) a Planning Code amendment under
13 Planning Code Section 302; (4) Conditional Use Authorization under Planning Code Section
14 303; (5) C-3 District Review, including exceptions, under Planning Code Section 309; and (6)
15 a determination of insignificant shadow impact under Planning Code Section 295.

16 D. The City wishes to ensure appropriate development of the Project Site as an
17 important part of an ongoing effort to revitalize the Mid-Market area, to provide for the
18 replacement of the 360 rent-controlled units and tenant amenities in the residential structure
19 currently existing on the Project Site and proposed to be demolished, and to protect the
20 tenants of the existing residential structure from displacement due to the proposed future
21 development of the Project Site. To this end, the Development Agreement for the Trinity
22 Plaza Development Project has been proposed.

23 E. On August 3, 2006, at a duly noticed public hearing, the Planning Commission
24 certified the Final Environmental Impact Report ("Final EIR") for the proposed Project, by
25

1 Motion No. 17291 finding that the Final EIR reflects the independent judgment and analysis of
2 the City and County of San Francisco, is adequate, accurate and objective, contains no
3 significant revisions to the Draft EIR, and the content of the report and the procedures through
4 which the Final EIR was prepared, publicized and reviewed comply with the provisions of the
5 California Environmental Quality Act (California Public Resources Code sections 21000 et
6 seq., "CEQA"), the State CEQA Guidelines (California Code of Regulations Title 14 sections
7 15000 et seq.), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). A
8 copy of the Final EIR is on file with the Clerk of the Board in File No. 061214.

9 F. At the same hearing during which the Planning Commission certified the Final
10 EIR, the Planning Commission adopted CEQA Findings with respect to the approval of the
11 proposed Project, including the proposed Zoning Map amendment, in Motion 17292 and
12 adopted the proposed Zoning Map amendment in Resolution No. 17294.

13 G. The letter from the Planning Department transmitting the Proposed Zoning Map
14 Amendments to the Board of Supervisors, the Final EIR and supplemental material described
15 above, the CEQA Findings adopted by the Planning Commission with respect to the approval
16 of the Project, including a mitigation monitoring and reporting program and a statement of
17 overriding considerations, the Proposed Zoning Map Amendments and the Resolution
18 approving the Proposed Zoning Map Amendments are on file with the Clerk of the Board in
19 File No. 061214. These and any and all other documents referenced in this
20 Ordinance have been made available to, and have been reviewed by, the Board of
21 Supervisors, and may be found in either the files of the City Planning Department, as the
22 custodian of records, at 1660 Mission Street in San Francisco, or in File No. 061214
23 with the Clerk of the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place, San Francisco
24 and are incorporated herein by reference.
25

1 H. The Board of Supervisors has reviewed and considered the Final EIR, the
2 environmental documents on file referred to herein, and the CEQA Findings adopted by the
3 Planning Commission in support of the approval of the proposed Project, including the
4 mitigation monitoring and reporting program and the statement of overriding considerations.
5 As set forth in the related Ordinance Approving a General Plan Amendment Related to the
6 Trinity Plaza Project at Market and 8th Street, Ordinance No. None, the Board of
7 Supervisors has adopted the Planning Commission's CEQA findings as its own and
8 incorporated them by reference. The Board of Supervisors hereby incorporates all of the
9 findings related to CEQA contained in the Ordinance Approving a General Plan Amendment
10 Related to the Trinity Plaza Project at Market and 8th Street, Ordinance No. None,
11 located in Board File No. 061213, by reference as though such findings were fully set
12 forth in this Ordinance.

13 I. The Board of Supervisors finds, pursuant to Planning Code Section 302, that the
14 Proposed Zoning Map Amendments will serve the public necessity, convenience and general
15 welfare for the reasons set forth in Planning Commission Resolution No. 17294 and
16 incorporates those reasons herein by reference.

17 J. The Board of Supervisors finds that the Proposed Zoning Map Amendments are
18 in conformity with the General Plan, as amended, and the eight priority policies of Planning
19 Code Section 101.1 for the reasons set forth in Planning Commission Resolution No. 17294.
20 The Board hereby adopts the findings set forth in Planning Commission Resolution No. 17294
21 and incorporates those findings herein by reference.

22 Section 2. Pursuant to Sections 106 and 302(c) of the Planning Code, the following
23 change in height and bulk classifications is hereby adopted as an amendment to Sectional
24 Map 1H of the Zoning Map of the City and County of San Francisco:
25

Description of Property	Height and Bulk District to be Superceded	Height and Bulk District Approved
1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets (as shown in the drawings on file with the Clerk of the Board of Supervisors in File No. _____)	120-X, 150-X and 240-S	160-X, 180-X and 240-S

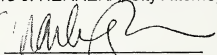
Section 3. Pursuant to Sections 106 and 302(c) of the Planning Code, the following change is hereby adopted as an amendment to Sectional Map Number 1SU of the Zoning Map of the City and County of San Francisco:

1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, as shown on the drawing on file with the Clerk of

1 the Board of Supervisors in File No. 061214, shall comprise the Trinity Plaza Special
2 Use District.

3
4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By:


7 Marlena G. Byrne
8 Deputy City Attorney
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 061214

Date Passed:

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1H of the Zoning Map of the City and County of San Francisco to change the height and bulk classification of the property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets from height and bulk classifications of 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; amending Sectional Map 1SU of the Zoning Map of the City and County of San Francisco to add the Trinity Plaza Special Use District; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

April 10, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 17, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

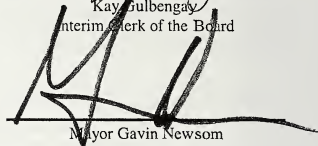
File No. 061214

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 17, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

APR 27 2007
Date Approved



Kay Gulbengaz
Interim Clerk of the Board



Mayor Gavin Newsom

90-07

FILE NO. 061216

ORDINANCE NO.

[Zoning—Establishing the Trinity Plaza Special Use District at Market and 8th Streets.]

Ordinance amending the San Francisco Planning Code by adding Section 249.34 to establish the Trinity Plaza Special Use District, encompassing the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, to eliminate floor-area restrictions, maximum dwelling-unit density limits, and sunlight access to public sidewalk requirements, and allow exceptions through the process outlined in Planning Code Section 309 to the dwelling-unit exposure requirements; and adopting General Plan, Planning Code Section 101.1, and environmental findings..

Note: Additions are single-underline italics Times New Roman;
deletions are ~~striketrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

A. On February 17, 2006, the Project Sponsor filed an application to amend the Planning Code to create the Trinity Plaza Special Use District comprised of the property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets ("Project Site"), which special use district would: eliminate the floor area ratio limits, maximum dwelling unit density limits, and sunlight access

DOCUMENTS DEPT.

1 to public sidewalk requirements; and allow an exception from dwelling unit exposure
2 requirements through the process outlined in Section 309 of the Planning Code.

3 B. The proposed Trinity Plaza Special Use District is part of a project proposed by
4 the Project Sponsor to demolish an existing 4- to-7 story apartment building at the Project Site
5 that contains 377 residential rental units (including 360 rent-controlled units), a ground-floor
6 restaurant, and surface and below-grade parking for approximately 450 vehicles, and replace
7 it with three buildings—ranging in height from 148 feet to 223 feet and totaling approximately
8 1,943,000 gross square feet— which would include residential units, retail/personal services,
9 off-street accessory parking, and open space ("Project").

10 C. The Project Sponsor has also filed applications for: (1) approval of a
11 Development Agreement under Administrative Code Chapter 56; (2) a General Plan
12 Amendment under Planning Code Section 340; (3) a Zoning Map amendment under Planning
13 Code Section 302; (4) Conditional Use Authorization under Planning Code Section 303; (5) C-
14 3 District Review, including exceptions, under Planning Code Section 309; and (6) a
15 determination of insignificant shadow impact under Planning Code Section 295.

16 D. The City wishes to ensure appropriate development of the Project Site as an
17 important part of an ongoing effort to revitalize the Mid-Market area, to provide for the
18 replacement of the 360 rent-controlled units and tenant amenities in the residential structure
19 currently existing on the Project Site and proposed to be demolished, and to protect the
20 tenants of the existing residential structure from displacement due to the proposed future
21 development of the Project Site. To this end, the Development Agreement for the Trinity
22 Plaza Development Project has been proposed.

23 E. On August 3, 2006, at a duly noticed public hearing, the Planning Commission
24 certified the Final Environmental Impact Report ("Final EIR") for the proposed Project, by
25

1 Motion No. 17291 finding that the Final EIR reflects the independent judgment and analysis of
2 the City and County of San Francisco, is adequate, accurate and objective, contains no
3 significant revisions to the Draft EIR, and the content of the report and the procedures through
4 which the Final EIR was prepared, publicized and reviewed comply with the provisions of the
5 California Environmental Quality Act (California Public Resources Code sections 21000 et
6 seq., "CEQA"), the State CEQA Guidelines (California Code of Regulations Title 14 sections
7 15000 et seq.), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). A
8 copy of the Final EIR is on file with the Clerk of the Board in File No. 061216.

9 F. At the same hearing during which the Planning Commission certified the Final
10 EIR, the Planning Commission adopted CEQA Findings with respect to the approval of the
11 proposed Project, including the proposed Planning Code amendment, in Motion 17292 and
12 adopted the proposed Planning Code amendment creating the Trinity Plaza Special Use
13 District in Resolution No. 17295.

14 G. The letter from the Planning Department transmitting the proposed Planning
15 Code amendment to the Board of Supervisors, the Final EIR and supplemental material
16 described above, the CEQA Findings adopted by the Planning Commission with respect to
17 the approval of the Project, including a mitigation monitoring and reporting program and a
18 statement of overriding considerations, the proposed Planning Code amendment, and the
19 Resolution approving the proposed Planning Code amendment are on file with the Clerk of
20 the Board in File No. 061216. These and any and all other documents referenced in
21 this Ordinance have been made available to, and have been reviewed by, the Board of
22 Supervisors, and may be found in either the files of the City Planning Department, as the
23 custodian of records, at 1660 Mission Street in San Francisco, or in File No. 061216

1 with the Clerk of the Board of Supervisors at 1 Dr. Carlton B. Goodlett Place, San Francisco
2 and are incorporated herein by reference.

3 H. The Board of Supervisors has reviewed and considered the Final EIR, the
4 environmental documents on file referred to herein, and the CEQA Findings adopted by the
5 Planning Commission in support of the approval of the proposed Project, including the
6 mitigation monitoring and reporting program and the statement of overriding considerations.
7 As set forth in the related Ordinance Approving a General Plan Amendment Related to the
8 Trinity Plaza Project at Market and 8th Street, Ordinance No. None, the Board of
9 Supervisors has adopted the Planning Commission's CEQA findings as its own and
10 incorporated them by reference. The Board of Supervisors hereby incorporates all of the
11 findings related to CEQA contained in the Ordinance Approving a General Plan Amendment
12 Related to the Trinity Plaza Project at Market and 8th Street, Ordinance No. None,
13 located in Board File No. 061213, by reference as though such findings were fully set
14 forth in this Ordinance.

15 I. The Board of Supervisors finds, pursuant to Planning Code Section 302, that the
16 proposed Planning Code amendment to create the Trinity Plaza Special Use District will serve
17 the public necessity, convenience and general welfare for the reasons set forth in Planning
18 Commission Resolution No. 17295 and incorporates those reasons herein by reference.

19 J. The Board of Supervisors finds that the proposed Planning Code amendment to
20 create the Trinity Plaza Special Use District is in conformity with the General Plan, as
21 amended, and the eight priority policies of Planning Code Section 101.1 for the reasons set
22 forth in Planning Commission Resolution No. 17295. The Board hereby adopts the findings
23 set forth in Planning Commission Resolution No. 17295 and incorporates those findings
24 herein by reference.
25

1
2 Section 2. The San Francisco Planning Code is hereby amended by adding Section
3 249.34, to read as follows:

4 SEC. 249.34. TRINITY PLAZA SPECIAL USE DISTRICT.

5 In order to give effect to the Development Agreement for the Trinity Plaza Development Project,
6 there shall be the Trinity Plaza Special Use District consisting of Assessor's Block 3702, Lots 039, 051,
7 052, and 053 and a portion of former Jessie Street between Seventh and Eighth Streets, as designated
8 on Sectional Map 1SU of the Zoning Map of the City and County of San Francisco.

9 (a) Special Controls. The following controls shall apply within this Special Use District:

10 (1) Floor Area Ratio: The floor area ratio limits set forth in Sections 123 and 124 for C-3-
11 G Districts shall not apply to dwellings and other residential uses.

12 (2) Residential Density: The maximum density ratio for dwelling units in C-3-G Districts
13 set forth in Section 215 shall not apply.

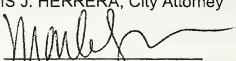
14 (3) Shadows on Public Sidewalks. The requirement regarding sunlight to public sidewalks
15 set forth in Section 146 shall not apply.

16 (4) Exposure of Dwelling Units: Exceptions to the provisions of Section 140 regarding
17 dwelling unit exposure to open areas may be granted through the process set forth in Section 309 in
18 lieu of the process set forth in Section 305. An exception to the provisions of Section 140 shall only be
19 granted upon a determination that the proposed design provides adequate access to air and light
20 consistent with the intent of Section 140.

21 (b) The Development Agreement for the Trinity Plaza Development Project. This Special
22 Use District is further subject to the restrictions and controls set forth in the Development Agreement
23 for the Trinity Plaza Development Project, recorded against the property, as amended from time to
24 time.

1 APPROVED AS TO FORM:
2 DENNIS J. HERRERA, City Attorney

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4 By:


5 Marlena G. Byrne
6 Deputy City Attorney
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 061216

Date Passed:

Ordinance amending the San Francisco Planning Code by adding Section 249.34 to establish the Trinity Plaza Special Use District, encompassing the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, 5 Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, to eliminate floor-area restrictions, maximum dwelling-unit density limits, and sunlight access to public sidewalk requirements, and allow exceptions through the process outlined in Planning Code Section 309 to the dwelling-unit exposure requirements; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

April 10, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 17, 2007 Board of Supervisors — FINALLY PASSED

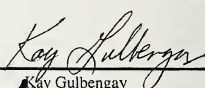
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

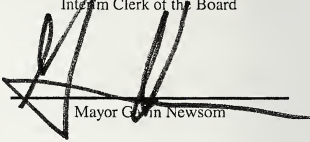
File No. 061216

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 17, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

APR 27 2007

Date Approved


Kay Gulbengay
Interim Clerk of the Board


Mayor Gavin Newsom

[Approving a General Plan Amendment Related to the Trinity Plaza Project at Market and 8th Streets.]

Ordinance amending the San Francisco General Plan by amending the height and bulk districts found on "Map 5 - Proposed Height and Bulk Districts," and referred to in Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use District, which encompasses the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, by changing the height and bulk classification from 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and findings that the proposed General Plan amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

A. Section 4.105 of the Charter of the City and County of San Francisco provides that the Planning Commission shall periodically recommend to the Board of Supervisors, for approval or rejection, proposed amendments to the General Plan.

B. On Feb. 1, 2007, the Board of Supervisors received from the Planning Department the proposed General Plan amendment, which consists of the proposed amendment to "Map 5—Proposed Height and Bulk Districts," for the real property at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block

1 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission
2 Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between
3 7th and 8th Streets (collectively, "Project Site" and "Trinity Plaza Special Use District") within
4 the Downtown Area to change the height and bulk classification from 120-X, 150-X and 240-S
5 to 160-X, 180-X, and 240-S ("Proposed General Plan Amendment"), which the Planning
6 Commission, in Resolution No. 17363, adopted on January 25, 2007.

7 C. Section 4.105 of the City Charter further provides that if the Board of
8 Supervisors fails to Act within 90 days of receipt of the proposed General Plan Amendment,
9 then the proposed amendment shall be deemed approved.

10 D. Section 340 of the San Francisco Planning Code provides that the Planning
11 Commission may initiate an amendment to the General Plan. Section 340 further provides
12 that the Planning Commission shall adopt the proposed General Plan amendment after a
13 public hearing if it finds from the facts presented that the public necessity, convenience and
14 general welfare require the proposed amendment or any part thereof. If adopted by the
15 Planning Commission in whole or in part, the proposed amendment shall be presented to the
16 Board of Supervisors, which may approve or reject the amendment by a majority vote.

17 E. The Proposed General Plan Amendment is related to a project proposed by the
18 Project Sponsor to demolish an existing 4- to-7 story apartment building at the Project Site
19 that contains 377 residential rental units (including 360 rent-controlled units), a ground-floor
20 restaurant, and surface and below-grade parking for approximately 450 vehicles, and replace
21 it with three buildings—ranging in height from 148 feet to 223 feet and totaling approximately
22 1,943,000 gross square feet—which would contain residential units, retail/personal services at
23 street level, off-street accessory parking, and open space ("Project").

1 F. On February 17, 2006, Trinity Properties, Inc. ("Project Sponsor") filed an
2 application for a Proposed General Plan Amendment. On November 7, 2006, the Board of
3 Supervisors denied this General Plan Amendment, a copy of which is on file with the Clerk of
4 the Board of Supervisors in File No. 061213. On November 30, 2006, the Planning
5 Commission initiated the same General Plan Amendment to accompany legislation relating to
6 the Project that is pending at the Board of Supervisors.

7 G. The Project Sponsor has also filed applications for: (1) approval of a
8 Development Agreement under Administrative Code Chapter 56; (2) a Zoning Map
9 amendment under Planning Code Section 302; (3) a Planning Code amendment under
10 Planning Code Section 302; (4) Conditional Use Authorization under Planning Code Section
11 303; (5) C-3 District Review, including exceptions, under Planning Code Section 309; and (6)
12 a determination of insignificant shadow impact under Planning Code Section 295.

13 H. The City wishes to ensure appropriate development of the Project Site as an
14 important part of an ongoing effort to revitalize the Mid-Market area, to provide for the
15 replacement of the 360 rent-controlled units and tenant amenities in the residential structure
16 currently existing on the Project Site and proposed to be demolished, and to protect the
17 tenants of the existing residential structure from displacement due to the proposed future
18 development of the Project Site. To this end, the Development Agreement for the Trinity
19 Plaza Development Project has been proposed.

20 I. On August 3, 2006, at a duly noticed public hearing, the Planning Commission
21 certified the Final Environmental Impact Report ("Final EIR") for the proposed Project, by
22 Motion No. 17291, finding that the Final EIR reflects the independent judgment and analysis
23 of the City and County of San Francisco, is adequate, accurate and objective, contains no
24 significant revisions to the Draft EIR, and the content of the report and the procedures through
25

1 which the Final EIR was prepared, publicized and reviewed comply with the provisions of the
2 California Environmental Quality Act (California Public Resources Code sections 21000 et
3 seq., "CEQA"), the State CEQA Guidelines (California Code of Regulations Title 14 sections
4 15000 et seq.), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). A
5 copy of the Final EIR is on file with the Clerk of the Board in File No. 070194.

6 J. The Project evaluated in the Final EIR includes, among other things,
7 amendments to the General Plan, Planning Code, and Zoning Map related to the Project. The
8 Proposed General Plan Amendment is within the scope of the Project evaluated in the Final
9 EIR.

10 K. At the same hearing during which the Planning Commission certified the Final
11 EIR, the Planning Commission adopted CEQA Findings with respect to the approval of the
12 proposed Project in Motion 17292. The letter from the Planning Department transmitting the
13 proposed General Plan Amendment to the Board of Supervisors, the Final EIR and
14 supplemental material described above, the CEQA Findings adopted by the Planning
15 Commission with respect to the approval of the Project, including a mitigation monitoring and
16 reporting program and a statement of overriding considerations, the Proposed General Plan
17 Amendment and the Resolution approving the Proposed General Plan Amendment are on file
18 with the Clerk of the Board in File No. 070194. These and any and all other
19 documents referenced in this Ordinance have been made available to, and have been
20 reviewed by, the Board of Supervisors, and may be found in either the files of the City
21 Planning Department, as the custodian of records, at 1660 Mission Street in San Francisco, or
22 in File No. 070194 with the Clerk of the Board of Supervisors at 1 Dr. Carlton B.
23 Goodlett Place, San Francisco and are incorporated herein by reference.
24
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1 L. The Board of Supervisors has reviewed and considered the Final EIR and the
2 environmental documents on file referred to herein. The Board of Supervisors has reviewed
3 and considered the CEQA Findings adopted by the Planning Commission in support of the
4 approval of the proposed Project, including the mitigation monitoring and reporting program
5 and the statement of overriding considerations, and hereby adopts as its own and
6 incorporates the CEQA Findings contained in Planning Commission Motion No. 17292 by
7 reference as though such findings were fully set forth in this Ordinance.

8 M. The Board of Supervisors endorses the implementation of the mitigation
9 measures identified in the Planning Commission's CEQA Findings for implementation by other
10 City Departments and recommends for adoption those mitigation measures that are
11 enforceable by agencies other than City agencies, all as set forth in the CEQA Findings,
12 including the mitigation monitoring and reporting program contained in the referenced CEQA
13 Findings.

14 N. The Board of Supervisors finds that: (1) no substantial changes have occurred
15 in the Project that would require revisions to the Final EIR due the involvement of new
16 significant environmental effects or a substantial increase in the severity of previously
17 identified significant effects; (2) no substantial changes have occurred with respect of the
18 circumstances under which the proposed Project is to be undertaken that would require major
19 revisions to the Final EIR due to the involvement of new environmental effects or a substantial
20 increase in the severity of effects identified in the Final EIR; and (3) no new information of
21 substantial importance to the proposed Project has become available that would indicate that
22 (i) the Project will have significant effects not discussed in the Final EIR, (ii) significant
23 environmental effects will be substantially more severe, (iii) mitigation measures or
24 alternatives found not feasible that would reduce one or more significant effects have become
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feasible, or (iv) mitigation measures or alternatives that are considerably different from those in the Final EIR would substantially reduce one or more significant effects on the environment.

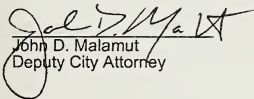
O. The Board of Supervisors finds, pursuant to Planning Code Section 340, that the Proposed General Plan Amendment set forth in the documents on file with the Clerk of the Board in File No. 070194 will serve the public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 17363 and incorporates those reasons herein by reference.

P. The Board of Supervisors finds that the Proposed General Plan Amendment as set forth in the documents on file with the Clerk of the Board in File No. 070194, are in conformity with the General Plan, as it is amended by this Ordinance, and the eight priority policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution No. 17363. The Board hereby adopts the findings set forth in Planning Commission Resolution No. 17363 as its own and incorporates those findings herein by reference.

Section 2. The Board of Supervisors hereby approves the Proposed General Plan Amendment, as referenced above, that the Planning Commission, on January 25, 2007, recommended to the Board of Supervisors. The General Plan Amendment is as follows: The height and bulk districts for the Project Site, found on "Map 5 - Proposed Height and Bulk Districts" and referred to in Policy 13.1 of the Downtown Area Plan of the General Plan, shall be amended from the height and bulk classifications of 120-X, 150-X and 240-S to 160-X, 180-X and 240-S, as shown on the drawing on file with the Clerk of the Board of Supervisors in File No. 070194.

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APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
John D. Malamut
Deputy City Attorney



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070194

Date Passed:

Ordinance amending the San Francisco General Plan by amending the height and bulk districts found on "Map 5 - Proposed Height and Bulk Districts," and referred to in Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use District, which encompasses the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, by changing the height and bulk classification from 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and findings that the proposed General Plan amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1.

April 10, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 17, 2007 Board of Supervisors — FINALLY PASSED

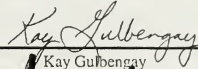
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 070194

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 17, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

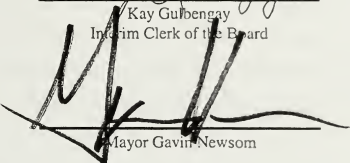
APR 27 2007

Date Approved



Kay Gulbengay

Interim Clerk of the Board



Mayor Gavin Newsom

FILE NO. 061217

ORDINANCE NO.

92-07

[Trinity Plaza Development Agreement; Property at 1167 Market St., 670-693 Stevenson St., and 1164 Mission St.]

Ordinance approving a development agreement between the City and County of San Francisco, and 1169 Market Street, LP, Trinity Properties, Inc., a California limited partnership corporation, for certain real property located at 1167 Market Street (Assessor's Block 3702/Lot 053), 670 Stevenson Street (Assessor's Block 3702/Lot 051), 693 Stevenson Street (Assessor's Block 3702/Lot 052), 1164 Mission Street (Assessor's Block 3702/Lot 039), and a portion of former Jessie Street between 7th and 8th Streets, altogether consisting of approximately 177,295 square feet (4.07 acres) and commonly known as Trinity Plaza, for a term of fifteen (15) years with a five (5) year extension option; adopting environmental, General Plan, and Planning Code Section 101.1(b) findings; amending Administrative Code Chapters 37 and 37A by amending Sections 37.2(r)(5) and 37A.1(g) and by adding Section 37.9(a)(15), to provide that specified residential units constructed pursuant to the terms of a development agreement are subject to the City's residential rent stabilization and arbitration ordinance; and ratifying previous actions taken in connection therewith.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. The Board of Supervisors makes the following findings:

(a) California Government Code Section 65864 et seq. authorizes any city, county, or city and county to enter into an agreement for the development of real property within the jurisdiction of the city, county, or city and county.

///

Supervisor Daly
BOARD OF SUPERVISORS

DOCUMENTS DEPT.

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1 (b) Chapter 56 of the San Francisco Administrative Code sets forth the procedure
2 by which any request for a development agreement will be processed and approved in the
3 City and County of San Francisco.

4 (c) 1169 Market Street, LP Trinity Properties, Inc. ("Developer") owns the real
5 property located in the City and County of San Francisco, California located at 1167 Market
6 Street (Assessor's Block 3702/Lot 053), 670 Stevenson Street (Assessor's Block 3702/Lot
7 051), 693 Stevenson Street (Assessor's Block 3702/Lot 052), 1164 Mission Street (Assessor's
8 Block 3702/Lot 039), and a portion of former Jessie Street between 7th and 8th Streets,
9 altogether consisting of approximately 177,295 square feet (4.07 acres) and commonly known
10 as Trinity Plaza (the "Project Site").

11 (d) On June 28, 2005, the Board of Supervisors adopted Resolution No. 507-05 (the
12 "Trinity Plaza Resolution"), which created policy of the Board of Supervisors that any
13 development agreement presented to the Board for approval concerning the Project Site
14 should contain specified unit affordability, tenant protection provisions, and required project
15 amenities.

16 (e) Developer filed an application with the City's Department of Planning for
17 approval of a development agreement under Administrative Code Chapter 56. Developer also
18 filed applications with the Department of Planning for (1) a Planning Code amendment to
19 create the Trinity Plaza Special Use District; (2) a General Plan Amendment under Planning
20 Code Section 340; (3) a Zoning Map amendment under Planning Code Section 302;
21 (4) Conditional Use Authorization under Planning Code Section 303; (5) C-3 District Review,
22 including exceptions, under Planning Code Section 309; and (6) a determination of
23 insignificant shadow impact under Planning Code Section 29.

24 (f) The Developer proposes to demolish all existing improvements on the Project
25 Site and to develop on the Project Site a mixed-use residential and commercial development

1 with accessory parking, loading and open space. The City wishes to ensure appropriate
2 development of the Project Site as an important part of the City's ongoing effort to revitalize
3 the Mid-Market area, to provide for the replacement of the 360 rent-controlled units in the
4 residential structure currently existing on the Project Site, to provide certain amenities for the
5 benefit of these existing tenants, and to protect these existing tenants from displacement due
6 to the proposed future development of the Project Site.

7 (g) The City's Department of Planning has negotiated a development agreement for
8 the Project Site, a copy of which is on file with the Clerk of the Board under File No. 061217
9 _____(the "Development Agreement"). The proposed mixed-use project, as more
10 particularly described in the Development Agreement (the "Project"), generally conforms to,
11 and includes the amenities set forth in, the Trinity Plaza Resolution.

12 Section 2. CEQA Findings. The Board makes the following findings:

13 (a) On August 3, 2006, at a duly noticed public hearing, the Planning Commission
14 certified the Final Environmental Impact Report ("Final EIR") for the proposed Project, by
15 Motion No. 17291 finding that the Final EIR reflects the independent judgment and analysis of
16 the City and County of San Francisco, is adequate, accurate and objective, contains no
17 significant revisions to the Draft EIR, and the content of the report and the procedures through
18 which the Final EIR was prepared, publicized and reviewed comply with the provisions of the
19 California Environmental Quality Act (California Public Resources Code Sections 21000 et
20 seq., "CEQA"), the State CEQA Guidelines (California Code of Regulations Title 14 Sections
21 15000 et seq.), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). A
22 copy of the Final EIR is on file with the Clerk of the Board in File No. 061217.

23 (b) At the same hearing during which the Planning Commission certified the Final
24 EIR, the Planning Commission adopted CEQA Findings with respect to the approval of the

25 ///

1 proposed Project in Motion 17292, and adopted the proposed Planning Code amendment
2 creating the Trinity Plaza Special Use District in Resolution No. 17295.

3 (c) The letter from the Department of Planning transmitting the Development
4 Agreement to the Board of Supervisors, the Final EIR and supplemental material described
5 above, the CEQA Findings adopted by the Planning Commission with respect to the approval
6 of the Project, including a mitigation monitoring and reporting program and a statement of
7 overriding considerations, are on file with the Clerk of the Board in File No. 061217.
8 These and any and all other documents referenced in this Ordinance have been made
9 available to, and have been reviewed by, the Board of Supervisors, and may be found in
10 either the files of the City Department of Planning, as the custodian of records, at
11 1660 Mission Street in San Francisco, or in File No. 061217 with the Clerk of the
12 Board of Supervisors at 1 Dr. Carlton B. Goodlett Place, San Francisco and are incorporated
13 herein by reference.

14 (d) The Board of Supervisors has reviewed and considered the Final EIR and the
15 environmental documents on file referred to herein, and the CEQA Findings adopted by the
16 Planning Commission in support of the approval of the proposed Project, including the
17 mitigation monitoring and reporting program and the statement of overriding considerations.
18 As set forth in the related Ordinance Approving a General Plan Amendment Related to the
19 Trinity Plaza Project at Market and 8th Street, Ordinance No. None, the Board of
20 Supervisors has adopted the Planning Commission's CEQA findings as its own and
21 incorporated them by reference. The Board of Supervisors hereby incorporates all of the
22 findings related to CEQA contained in the Ordinance Approving a General Plan Amendment
23 Related to the Trinity Plaza Project at Market and 8th Street, Ordinance No. None,
24 located in Board File No. 061213, by reference as though such findings were fully set
25 forth in this Ordinance.

Section 3. Adoption of General Plan and Planning Code Section 101.1(b) Findings.

(a) The Board of Supervisors finds, pursuant to Planning Code Section 302, that the proposed Development Agreement will serve the public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 17298 and incorporates those reasons herein by reference.

(b) The Board of Supervisors finds that the proposed Development Agreement is in conformity with the General Plan, as amended, and the eight priority policies of Planning Code Section 101.1 for the reasons set forth in Planning Commission Resolution No. 17298. The Board hereby adopts the findings set forth in Planning Commission Resolution No. 17298 and incorporates those findings herein by reference.

Section 4. Approval of the Development Agreement.

(a) The Board of Supervisors approves all of the terms and conditions of the Development Agreement, including but not limited to the following: (i) one-for-one replacement of the 360 rent-controlled dwelling units currently existing on the Project Site with new units that are comparable in amenities, style, function and design ("Replacement Units"); (ii) the waiver of rights under the Costa-Hawkins Rental Housing Act; (iii) the rental-only requirements, the Ellis Act waiver, and the related Recorded Restrictions against Building A, as defined in the Development Agreement; (iv) Developer's on-site provision of affordable housing dwelling units, not including the Replacement Units; (v) the relocation by Developer of all existing tenants from their existing units to the Replacement Units; (vi) the availability of lifetime leases to each existing tenant that elects to occupy a Replacement Unit; and (vi) the granting to Developer of the vested right to build up to 1,900 residential dwelling units in three separate buildings on the Project Site, together with commercial space, parking and open space.

///

1 (b) The Board of Supervisors approves the subdivision and condominium map
2 provisions, as set forth in Section 3.5 of the Development Agreement, including the
3 requirements relative to the Recorded Restrictions. The Board of Supervisors understands
4 and agrees that the units in Building A shall be rental units for the life of the building, and
5 the Replacement Units shall be rent controlled for so long as the Rent Ordinance, as
6 amended, supplanted or replaced, remains in effect, notwithstanding any subdivision or
7 condominium map placed on Building A in the future. The foregoing agreement and
8 restrictions are a material part of the Development Agreement, and the Board would not be
9 willing to approve the Development Agreement without these restrictions and without the
10 right to enforce these restrictions by all available legal and equitable means including but
11 not limited to specific performance.

12 (c) The minimum number of BMR Units in the Project shall be the number
13 required by the San Francisco Planning Code on the date this Ordinance becomes
14 effective, based on the number of units in the Project remaining after subtracting the
15 number of Replacement Units. All BMR Units shall be provided on site. A Replacement
16 Unit may not be used to meet the City's inclusionary housing requirements.

17 (d) The floor area devoted to Commercial Parking (as defined in § 204.5(c) of the
18 S.F. Planning Code) shall not exceed two hundred twenty-five (225) spaces,
19 based upon 60,000 square feet of commercial space.

20 (e) Subject to the foregoing, the Board of Supervisors approves the execution,
21 delivery and performance of the Development Agreement. The Director of Planning (or his
22 or her designee) at his or her discretion is hereby authorized to take all actions reasonably
23 necessary or prudent to perform the City's obligations under the Development Agreement,
24 subject to the terms of the Development Agreement and San Francisco Administrative
25 Code Chapter 56. The Director of Planning, at his or her discretion and in consultation with

the City Attorney, is authorized to enter into any additions, amendments or other modifications to the Development Agreement that the Director of Planning determines are in the best interests of the City and that do not materially increase the obligations or liabilities of the City.

Section 5. Rent Ordinance Amendments. The San Francisco Residential Rent Stabilization and Arbitration Ordinance and its supporting fee provisions (San Francisco Administrative Code Chapters 37 and 37A; collectively, the "Rent Ordinance") are hereby amended to provide that specified residential units that are built pursuant to a the terms of a development agreement entered into by the City under San Francisco Administrative Code Chapter 56 shall be subject to the provisions of the Rent Ordinance.

(a) Accordingly, San Francisco Administrative Code Section 37.2(r)(5) is amended to read as follows:

~~(5) Rental units located in a structure for which a certificate of occupancy was first issued after the effective date of this ordinance; (4) except as provided for certain categories of units and dwellings by Section 37.3(d) and Section 37.9A(b) of this Chapter, and (B) except as provided in a development agreement entered into by the City under San Francisco Administrative Code Chapter 56.~~

(b) The Rent Ordinance is hereby amended by adding Section 37.9(a)(15), to read as follows:

(15) The landlord seeks to recover possession in good faith in order to demolish or to otherwise permanently remove the rental unit from housing use in accordance with the terms of a development agreement entered into by the City under Chapter 56 of the San Francisco Administrative Code.

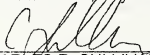
(c) The Rent Ordinance fee provisions are hereby amended by amending Section 37A.1(g), to read as follows:

(g) Dwelling units located in a structure for which a certificate of final completion and occupancy was first issued by the Bureau of Building Inspection after June 13, 1979, except that any such units shall be subject to this Chapter 37A if so designated in a development agreement entered into by the City under Chapter 56 of the San Francisco Administrative Code;

Section 6. Ratification of Prior Actions. All actions taken by City officials in preparing and submitting the Development Agreement to the Board for review and consideration are hereby ratified and confirmed, and the Board hereby authorizes all subsequent action to be taken by City officials consistent with this Ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By.


CHARLES R. SULLIVAN
Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 061217

Date Passed:

Ordinance approving a development agreement between the City and County of San Francisco, and 1169 Market Street, LP, a California limited partnership, for certain real property located at 1167 Market Street (Assessor's Block 3702/Lot 053), 670 Stevenson Street (Assessor's Block 3702/Lot 051), 693 Stevenson Street (Assessor's Block 3702/Lot 052), 1164 Mission Street (Assessor's Block 3702/Lot 039), and a portion of former Jessie Street between 7th and 8th Streets, altogether consisting of approximately 177,295 square feet (4.07 acres) and commonly known as Trinity Plaza for a term of fifteen (15) years with a five (5) year extension option; adopting environmental, General Plan, and Planning Code Section 101.1 (b) findings; amending Administrative Code Chapters 37 and 37A by amending Sections 37.2(r)(5) and 37A.1(g) and by adding Section 37.9(a)(15), to provide that specified residential units constructed pursuant to the terms of a development agreement are subject to the City's residential rent stabilization and arbitration ordinance; and ratifying previous actions taken in connection therewith.

April 10, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

April 17, 2007 Board of Supervisors — FINALLY PASSED

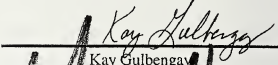
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 061217

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 17, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

APR 27 2007

Date Approved


Kay Gulbengay
Interim Clerk of the Board


Mayor Gavin Newsom

[Electronic benefit transfers, monthly pay period; deleting payment by emergency check.]

Ordinance amending sections 20.57.6A, 20.59, 20.59.1, 20.59.3, 20.76, 20.106, and 20.206 of the San Francisco Administrative Code by: 1) authorizing the Department of Human Services (DHS) to provide aid payments in the form of electronic benefit transfers in the General Assistance program, 2) authorizing DHS to provide aid payments on a monthly basis, and 3) deleting DHS' ability to provide aid payments in the form of emergency checks.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending section 20.57.6A, to read as follows:

SEC. 20.57.6A. SPECIAL ALLOWANCES; INCOME-IN-KIND VALUE EXCEEDS MONTHLY MAXIMUM GRANT.

A special allowance of up to \$59.00 per month shall be made available, ~~in the form of an emergency check,~~ to any recipient when the income-in-kind value of housing, and/or utilities, and/or meals provided to that recipient exceeds the maximum monthly grant for which that recipient is eligible. If such income-in-kind value does not exceed the maximum monthly grant for which that recipient is eligible, but allows for less than \$59.00 cash per month, that

1 recipient shall receive an amount, ~~in the form of an emergency check,~~ that, when added to the
2 maximum monthly grant for which that recipient is eligible, equals \$59.00 cash per month.
3 This section shall not affect the collection of overpayments due to fraud, negligent failure to
4 report facts, or administrative error as set forth in this Article.

5
6 Section 2. The San Francisco Administrative Code is hereby amended by amending
7 section 20.59, to read as follows:

8 **SEC. 20.59. AID PAYMENTS.**

9 (a) **Emergency Assistance.** Emergency assistance of up to two weeks shall be
10 provided in the form of in-kind aid, ~~and/or~~ vouchers, ~~and/or~~ warrants, or electronic benefit
11 transfers. During this period of emergency assistance, the Department of Human Services
12 shall investigate the facts material to the determination of eligibility for the General Assistance
13 Program. If good cause exists that said investigation cannot be completed within two weeks,
14 emergency assistance may be extended for another two weeks.

15 The Executive Director of the Department of Human Services is authorized to contract
16 with social service agencies for the provision of emergency assistance outside normal working
17 hours.

18 (b) **Normal Payment Periods.** The normal payment periods ~~shall~~may be either
19 every two weeks, ~~or~~ or ~~semimonthly,~~ or monthly. There is no limit to the number of normal
20 payment periods during which a recipient may receive aid.

21 (c) **Supplemental Rent Payments.** Applicants or recipients whose verified monthly
22 rent exceeds the maximum monthly grant for which they are eligible may elect to have rental
23 payments made in the form of a two-party check payable to the applicant/recipient and the
24 housing provider for the entire amount of the rent not to exceed the applicable monthly
25 amount listed below.

MAXIMUM SUPPLEMENTAL MONTHLY RENT PAYMENT AMOUNT

Single Individual Applicant/Recipient \$345

Number of Eligible Persons in Same Family

2 Persons \$567

3 Persons \$703

4 Persons \$834

5 Persons \$952

6 Persons \$1,070

7 Persons \$1,175

8 Persons \$1,281

9 Persons \$1,388

10 Persons \$1,508

In the case of more than 10 persons in a family budget unit, an additional \$25 each month shall be paid for each additional person in the family budget unit.

The "housing provider" must be the owner of the property, or the owner's designated management agent, on which the applicant/recipient resides, or a nonprofit community organization that either directly, or through agreements with property owners, provides housing. Supplemental rent payments shall not be considered "personal needs" for purposes of Section 20.57.3 of this Article. In addition, the termination of supplemental rent payments shall be subject to the notice provisions of Section 20.60. However, the applicant/recipient may waive such notice, or any portion of the 10 calendar day notice period to allow for a change in aid payment.

Section 3. The San Francisco Administrative Code is hereby amended by amending section 20.59.1, to read as follows:

1 **SEC. 20.59.1. AID PAYMENTS; IN GENERAL.**

2 General Assistance aid payments may be provided in form of in-kind benefits, in-kind
3 orders, vouchers, checks, electronic benefit transfers, or ~~and~~ warrants.

4
5 Section 4. The San Francisco Administrative Code is hereby amended by amending
6 section 20.59.3, to read as follows:

7 **SEC. 20.59.3. AID PAYMENTS; IN-KIND AID.**

8 Assistance in the form of in-kind benefits, in-kind orders, electronic benefit transfers, or
9 emergency checks shall be used:

10 (a) As aid payments.

11 (b) For applicants and recipients who declare themselves to be homeless.

12 Applicants and recipients are required to provide a verifiable rent receipt, or verifiable
13 documentation of shared housing, or verifiable documentation of rent-free housing. Self-
14 declared homeless applicants and recipients shall receive in-kind benefits for housing, utilities,
15 and meals. If in-kind benefits are not available, such applicants and recipients shall receive
16 the cash assistance equivalent to the income-in-kind value of housing, utilities, and/or meals,
17 whichever is not available, if otherwise eligible for these amounts, ~~in the form of an emergency~~
18 ~~check~~. Failure to comply with the rules of a housing program that results in ejection from that
19 housing program will be considered failure to satisfy the requirements for continuing eligibility
20 for aid and will result in discontinuance from the General Assistance Program, subject to the
21 notice and hearing provisions of this Article.

22 (c) For Eligible persons awaiting transportation arrangements, provided that aid
23 shall not exceed one week.

24 (d) For Eligible homeless persons awaiting admission into a hospital or institution.

(e) For Persons who have demonstrated inability to handle cash payments for necessities of life.

Section 5. The San Francisco Administrative Code is hereby amended by amending section 20.76, to read as follows:

SEC. 20.76. PAES STIPENDS.

(a) For each eligible individual or for each eligible family budget unit of two or more persons who qualify for stipends under this Article, the maximum monthly stipend amount which participants shall receive is listed below.

MAXIMUM PAES STIPEND AMOUNT

Single Individual \$ 395

Number of Eligible Persons in Same Family

2 Persons \$ 649

3 Persons \$ 804

4 Persons \$ 955

5 Persons \$ 1,089

6 Persons \$ 1,223

7 Persons \$ 1,343

8 Persons \$ 1,464

9 Persons \$ 1,586

10 Persons \$ 1,723

In the case of more than 10 persons in a family budget unit, an additional \$25 each month shall be paid for each additional person in the family budget unit. For Family Budget Units in which members receive cash payments from more than one federal, State or County assistance program, except for SSI/SSP, the total aid payment shall consist of the sum of

1 each individual's proportionate share of the aid payment for a family budget unit of the same
2 size within each program for which each member is eligible.

3 (b) The maximum monthly PAES stipend for which an applicant is eligible shall be
4 the maximum monthly PAES stipend prorated as of the eligibility determination date, minus
5 any nonexempt cash available to the applicant during that calendar month, minus the fair
6 market value of any nonexempt personal property available to the applicant during that
7 calendar month, and minus the value of any prorated in-kind housing, utilities and/or meals
8 available or provided to the applicant. A rent payment, retroactive to the first of the month in
9 which eligibility is determined, may be authorized to prevent eviction from existing housing.

10 (c) The maximum monthly PAES stipend for which a participant is eligible shall be
11 the maximum PAES stipend minus any nonexempt cash received from sources other than
12 PAES which is available to the participant during the month for which the stipend is paid,
13 minus the fair market value of any nonexempt personal property which is, or will be, available
14 to the participant during the month for which the stipend is paid, and minus the value of any
15 in-kind housing, utilities and/or meals available or provided to the participant.

16 (d) No PAES stipend shall be issued for less than \$5.00.

17 (e) PAES assistance and stipends may be provided in the form of vouchers,
18 checks, two-party checks, warrants, electronic benefit transfers, in-kind benefits, and/or
19 through third party contracts.

20 (f) PAES stipends may be made payable only to the participant or, upon the
21 participant's written authorization, to the participant and a designated co-payee, or to a
22 representative payee.

23 (g) PAES stipends may be mailed directly to the participant or to the designated
24 representative payee. PAES stipends may be made by electronic benefits transfer. PAES
25 stipends may be picked up at a location designated by the Department. PAES stipends shall

not be mailed to a post office box, a mail receiving service, or to an address outside the City and County of San Francisco, except upon specific authorization of the Executive Director.

(h) The Maximum PAES Stipend Amounts listed in Section 20.76(a) of this Article shall be increased by any annual percentage cost of living increase to the Maximum Aid Payment, and according to the same schedule, if such an increase is implemented by the State of California in the TANF/CalWORKs program.

(i) Participants may be provided with assistance, as specified in Subsection (e) above, to help pay, in full or in part, ancillary work-related expenses.

(j) Applicants and recipients are required to provide a verifiable rent receipt, or verifiable documentation of shared housing, or verifiable documentation of rent-free housing. Self-declared homeless applicants and recipients shall receive in-kind benefits for housing, utilities and meals. If in-kind benefits are not available, such applicants and recipients shall receive the income-in-kind value of housing, utilities, and/or meals, whichever is not available, ~~in the form of an emergency check~~, if otherwise eligible for these amounts. Failure to comply with the rules of a housing program that results in ejection from that housing program will be considered failure to satisfy the requirements for continuing eligibility for aid and will result in discontinuance from PAES, subject to the notice and hearing provisions of this Article.

(k) A special allowance of up to \$59.00 per month shall be made available, ~~in the form of an emergency check~~, to any recipient when the income-in-kind value of housing, and/or utilities, and/or meals provided to that recipient exceeds the maximum monthly stipend for which that recipient is eligible. If such income-in-kind value does not exceed the maximum monthly stipend for which that recipient is eligible, but allows for less than \$59.00 cash per month, that recipient shall receive an amount, ~~in the form of an emergency check~~, that, when added to the maximum monthly stipend for which that recipient is eligible, ~~that equals~~ \$59.00

cash per month. This section shall not affect the collection of overpayments due to fraud, negligent failure to report facts or administrative error as set forth in this Article.

Section 6. The San Francisco Administrative Code is hereby amended by amending section 20.76, to read as follows:

SEC. 20.106. CALM PAYMENTS.

(a) For each eligible individual or for each eligible family budget unit of two or more persons who qualify for assistance under the CALM Program, the maximum monthly payment amount which recipients shall receive is listed below.

MAXIMUM CALM PAYMENT AMOUNT

Single Individual \$ 395

Number of Eligible Persons in Same Family

2 Persons \$ 649

3 Persons \$ 804

4 Persons \$ 955

5 Persons \$ 1,089

6 Persons \$ 1,223

7 Persons \$ 1,343

8 Persons \$ 1,464

9 Persons \$ 1,586

10 Persons \$ 1,723

In the case of more than 10 persons in a family budget unit, an additional \$25 each month shall be paid for each additional person in the family budget unit. For family budget units in which members receive cash payments from more than one federal, State or County assistance program, except for SSI/SSP, the total aid payment shall consist of the sum of

each individual's proportionate share of the aid payment for a family budget unit of the same size within each program to which each member is eligible.

(b) The maximum monthly CALM payment for which an applicant is eligible shall be the maximum monthly CALM payment prorated as of the eligibility determination date, minus any nonexempt cash available to the applicant during that calendar month, minus the fair market value of any nonexempt personal property available to the applicant during that calendar month, and minus the value of any prorated in-kind housing, utilities and/or meals available or provided to the applicant. A rent payment, retroactive to the first of the month in which eligibility is determined, may be authorized to prevent eviction from existing housing.

(c) The maximum monthly CALM payment for which a recipient is eligible shall be the maximum CALM payment minus any nonexempt cash received from sources other than CALM which is available to the recipient during the month for which assistance is paid, minus the fair market value of any nonexempt personal property which is, or will be, available to the recipient during the month for which assistance is paid, and minus the value of any in-kind housing, utilities and/or meals available or provided to the applicant.

(d) No CALM payment shall be issued for less than \$5.00.

(e) CALM may be provided in the form of vouchers, checks, two-party checks, warrants, electronic benefit transfers, in-kind benefits, and/or through third party contracts.

(f) CALM payments may be made payable only to the recipient or, upon the recipient's written authorization, to the recipient and a designated co-payee, or to a representative payee.

(g) CALM payments may be mailed directly to the recipient or to the designated representative payee. CALM payments may be made by electronic benefit transfer. CALM payments may be picked up at a location designated by the Department. CALM payments shall not be mailed to a post office box, a mail receiving service, or to an address outside the

1 City and County of San Francisco, except upon specific authorization of the Executive
2 Director.

3 (h) The Maximum CALM Payment Amounts listed in Section 20.106(a) of this
4 Article shall be increased by any annual percentage cost of living increase to the Maximum
5 Aid Payment, and according to the same schedule, if such an increase is implemented by the
6 State of California in the TANF/ CalWORKs program.

7 (i) Applicants and recipients are required to provide a verifiable rent receipt, or
8 verifiable documentation of shared housing, or verifiable documentation of rent-free housing.
9 Self-declared homeless applicants and recipients shall receive in-kind benefits for housing,
10 which includes utilities and meals. If in-kind benefits are not available, such applicants and
11 recipients shall receive the income-in-kind value of housing, utilities, and/or meals, whichever
12 is not available, ~~in the form of an emergency check~~ if otherwise eligible for these amounts.
13 Failure to comply with the rules of a housing program that results in ejection from that housing
14 program will be considered failure to satisfy the requirements for continuing eligibility for aid
15 and will result in discontinuance from CALM, subject to the notice and hearing provisions of
16 this Article

17 (j) A special allowance of up to \$59.00 per month shall be made available, ~~in the~~
18 ~~form of an emergency check~~, to any recipient when the income-in-kind value of housing, and/or
19 utilities, and/or meals provided to that recipient exceeds the maximum monthly payment for
20 which that recipient is eligible. If such income-in-kind value does not exceed the maximum
21 monthly payment for which that recipient is eligible, but allows for less than \$59.00 cash per
22 month, that recipient shall receive an amount, ~~in the form of an emergency check~~, that, when
23 added to the maximum monthly payment for which that recipient is eligible ~~that~~, equals \$59.00
24 cash per month. This section shall not affect the collection of overpayments due to fraud,
25 negligent failure to report facts or administrative error as set forth in this Article.

Section 7. The San Francisco Administrative Code is hereby amended by amending section 20.206, to read as follows:

SEC. 20.206. SSIP PAYMENTS.

(a) For each eligible individual or for each eligible family budget unit of two or more persons who qualify for assistance under the SSIP Program, the maximum monthly payment amount which recipients shall receive is listed below.

MAXIMUM SSIP PAYMENT AMOUNT

Single Individual \$ 395

Number of Eligible Persons in Same Family

2 Persons \$ 649

3 Persons \$ 804

4 Persons \$ 955

5 Persons \$ 1,089

6 Persons \$ 1,223

7 Persons \$ 1,343

8 Persons \$ 1,464

9 Persons \$ 1,586

10 Persons \$ 1,723

In the case of more than 10 persons in a family budget unit, an additional \$25 each month shall be paid for each additional person in the family budget unit. For family budget units in which members receive cash payments from more than one federal, State or County assistance program, except for SSI/ SSP, the total aid payment shall consist of the sum of each individual's proportionate share of the aid payment for a family budget unit of the same size within each program for which each member is eligible.

1 (b) The maximum monthly SSIP payment for which an applicant is eligible shall be
2 the maximum monthly SSIP payment prorated as of the eligibility determination date, minus
3 any nonexempt cash available to the applicant during that calendar month, minus the fair
4 market value of any nonexempt personal property available to the applicant during that
5 calendar month, and minus the value of any prorated in-kind housing, utilities and/or meals
6 available or provided to the applicant. A rent payment, retroactive to the first of the month in
7 which eligibility is determined, may be authorized to prevent eviction from existing housing.

8 (c) The maximum monthly SSIP payment for which a recipient is eligible shall be
9 the maximum SSIP payment minus any nonexempt cash received from sources other than
10 SSIP which is available to the recipient during the month for which the SSIP payment is paid,
11 minus the fair market value of any nonexempt personal property which is, or will be, available
12 to the recipient during the month for which the SSIP payment is paid, and minus the value of
13 any in-kind housing, utilities and/or meals available or provided to the recipient.

14 (d) No SSIP payment shall be issued for less than \$5.00.

15 (e) SSIP may be provided in the form of vouchers, checks, two-party checks,
16 warrants, electronic benefit transfers, in-kind benefits, and/or through third party contracts.

17 (f) SSIP payments may be made payable only to the recipient or, upon the
18 recipient's written authorization, to the recipient and a designated co-payee, or to a
19 representative payee.

20 (g) SSIP payments may be mailed directly to the recipient or to the designated
21 representative payee. SSIP payments may be made by electronic benefit transfer. SSIP
22 payments may be picked up at a location designated by the Department. SSIP payments shall
23 not be mailed to a post office box, a mail receiving service, or to an address outside the City
24 and County of San Francisco, except upon specific authorization of the Executive Director.

1 (h) The Maximum SSIP Payment Amounts listed in Section 20.206(a) of this Article
2 shall be increased by any annual percentage cost of living increase to the Maximum Aid
3 Payment, and according to the same schedule, if such an increase is implemented by the
4 State of California in the TANF/CalWORKs Program.

5 (i) Applicants and recipients are required to provide a verifiable rent receipt, or
6 verifiable documentation of shared housing or verifiable documentation of rent-free housing.
7 Self-declared homeless applicants and recipients shall receive in-kind benefits for housing,
8 utilities and meals. If in-kind benefits are not available, such applicants and recipients shall
9 receive the income-in-kind value of housing, utilities, and/or meals; whichever is not available,
10 ~~in the form of an emergency check~~ if otherwise eligible for these amounts. Failure to comply with
11 the rules of a housing program that results in ejection from that housing program will be
12 considered failure to satisfy the requirements for continuing eligibility for aid and will result in
13 discontinuance from SSIP, subject to the notice and hearing provisions of this Article.

14 (j) A special allowance of up to \$59.00 per month shall be made available, ~~in the~~
15 ~~form of an emergency check,~~ to any recipient when the income-in-kind value of housing, and/or
16 utilities, and/or meals provided to that recipient exceeds the maximum monthly payment for
17 which that recipient is eligible. If such income-in-kind value does not exceed the maximum
18 monthly payment for which that recipient is eligible, but allows for less than \$59.00 cash per
19 month, that recipient shall receive an amount, ~~in the form of an emergency check, that,~~ when
20 added to the maximum monthly payment for which that recipient is eligible ~~that,~~ equals \$59.00
21 cash per month. This section shall not affect the collection of overpayments due to fraud,
22 negligent failure to report facts or administrative error as set forth in this Article.

1 APPROVED AS TO FORM:

2 DENNIS J. HERRERA, City Attorney

3
4
5
6
7 By:



8 JENNIFER WILLIAMS

9 Deputy City Attorney



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 070208

Date Passed:

Ordinance amending sections 20.57.6A, 20.59, 20.59.1, 20.59.3, 20.76, 20.106, and 20.206 of the San Francisco Administrative Code by: 1) authorizing the Department of Human Services (DHS) to provide aid payments in the form of electronic benefit transfers in the General Assistance program, 2) authorizing DHS to provide aid payments on a monthly basis, and 3) deleting DHS' ability to provide aid payments in the form of emergency checks.

April 10, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 17, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

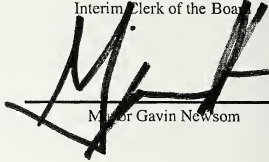
File No. 070208

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 17, 2007 by
the Board of Supervisors of the City and
County of San Francisco.



Kay Gulbengay

Interim Clerk of the Board


APR 27 2007

Date Approved

Mayor Gavin Newsom

FILE NO. 070408

ORDINANCE NO.

94-07

[Public Employment]

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to Administrative Services (ADM), Department of Public Health (DPH), Department of Public Works (DPW) and Emergency Communications Department (ECD) staffing by decreasing total staffing by 78.00 FTEs.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~striketrough-italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough-normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and item of Ordinance No. 203-06 (Annual Salary Ordinance, FY 2006-2007) is hereby amended so that the same shall read as follows:

Department: ADM Administrative Services
Program: FAC ADMINISTRATIVE SERVICES-ADMINISTRATION
Subfund: 1G AGF AAA
Index Code: 705008

<u>Amendment</u>	<u>#of Pos.</u>	<u>Class and Item No.</u>	<u>Compensation Schedule</u>
~~Delete~~	~~2.00~~	~~1.00 FTE 0922 Manager I~~	~~\$3126 B 3989~~

Department: DPH Public Health
Program: DPC HIV / AIDS
Subfund: 1G AGF AAA
Index Code: HCHPDADMINGF

~~Delete~~	~~0.65 FTE~~	~~0943 Manager VIII~~	~~\$3450 B 6955~~
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DOCUMENTS DEPT.

MAY 22 2007

Department: DPH Public Health
Program: DPC HIV / AIDS
Subfund: 2S CHS GNC
Index Code: HCHPDHIVSVGR

<u>Amendment</u>	<u>#of Pos.</u>	<u>Class and Item No.</u>	<u>Compensation Schedule</u>
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~~Delete~~	~~0.25 FTE~~	~~0943 Manager VIII~~	~~\$5450 B 6955~~
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~~Delete~~	~~0.10 FTE~~	~~0943 Manager VIII~~	~~\$5450 B 6955~~
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Department: DPW Department of Public Works
Program: BAM ARCHITECTURE
Subfund: 2S PWF OHF
Index Code: 772012

~~Delete~~	~~1.00 FTE~~	~~5270 Senior Architect~~	~~\$4407 B 5357~~
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Department: DPW Department of Public Works
Program: BAM ARCHITECTURE
Subfund: 1G AGF PWF
Index Code: 772053

~~Delete~~	~~1.00 FTE~~	~~5265 Architectural Associate I~~	~~\$2827 B 3436~~
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~~Delete~~	~~1.00 FTE~~	~~5270 Senior Architect~~	~~\$4407 B 5357~~
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~~Delete~~	~~1.00 FTE~~	~~5268 Architect~~	~~\$3807 B 4627~~
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Department: ECD Emergency Communications Dept.
Program: BIV Emergency Services Coordination
Subfund: 2S PPF HLS
Index Code: 770501

~~Delete~~	~~1.00 FTE~~	~~1454 Executive Secretary III~~	~~\$2490 B 3027~~
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1
2
3 APPROVED AS TO CLASSIFICATION
4 DEPARTMENT OF HUMAN RESOURCES

5 SEE FILE FOR SIGNATURE
6 Ted Yamasaki, Acting Director
7 Department of Human Resources

8 Amended 04/18/2007
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APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: SEE FILE FOR SIGNATURE
Martin Gran
Deputy City Attorney



City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070408

Date Passed:

Ordinance amending Ordinance No. 203-06 (Annual Salary Ordinance FY 2006-2007) to reflect the proposed changes to Administrative Services (ADM), Department of Public Health (DPH), Department of Public Works (DPW) and Emergency Communications Department (ECD) staffing by decreasing total staffing by 7.00 FTEs.

April 24, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval, Ammiano

May 1, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Ammiano, Alioto-Pier, Daly, Dufty, Elsbernd, Jew, McGoldrick,
Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

File No. 070408

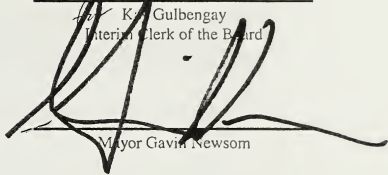
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on May 1, 2007 by
the Board of Supervisors of the City and
County of San Francisco.



for K. Gulbengay
Interim Clerk of the Board

MAY 02 2007

Date Approved



Mayor Gavin Newsom

95-07

FILE NO. 070039

ORDINANCE NO.

[Planning Code—Amending Article 11 Designation of 583-587 Howard Street.]

Ordinance amending the designation of 583-587 Howard Street from "Unrated—
Category V" to "Contributory—Category III" under Planning Code Article 11; and
adopting General Plan, Planning Code Section 101.1(b) and environmental findings

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings.

(a) On January 25, 2007, at a duly noticed public hearing, the Planning Commission
in Resolution No. 17367 found that the proposed amendment to the Article 11 designation of
583-587 Howard Street was consistent with the City's General Plan and with Planning Code
Section 101.1(b). In addition, the Planning Commission recommended that the Board of
Supervisors adopt the Article 11 designation amendment. A copy of said Resolution is on file
with the Clerk of the Board of Supervisors in File No. 070039 and is incorporated herein by
reference. The Board finds that the proposed amendment to the Article 11 designation is
consistent with the City's General Plan and with Planning Code Section 101.1(b) for the
reasons set forth in said Resolution.

(b) Pursuant to Planning Code Section 302, the Board finds that the proposed
amendment to the Article 11 designation will serve the public necessity, convenience and
welfare for the reasons set forth in Planning Commission Resolution No. 17367, which
reasons are incorporated herein by reference as though fully set forth. A copy of said
Resolution is on file with the Clerk of the Board of Supervisors in File No. 070039.

DOCUMENTS DEPT.

1 (c) The Planning Department has determined that the actions contemplated in this
2 Ordinance are in compliance with the California Environmental Quality Act (California Public
3 Resources Code section 21000 et seq.). Said determination is on file with the Clerk of the
4 Board of Supervisors in File No. 070039 and is incorporated herein by reference.

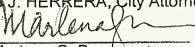
5 (d) The Board of Supervisors hereby finds that 583-587 Howard Street (Lot 099 in
6 Assessor's Block 3736) is located outside of a Conservation District, is at least 40 years old, is
7 judged to be of Individual Importance, and is rated Very Good in Relationship to the
8 Environment, and that amending its designation from "Unrated—Category V" to
9 "Contributory—Category III" will further the purposes of and conform to the standards set forth
10 in Article 11 of the San Francisco Planning Code.

11 Section 2: Designation. Pursuant to Sections 1102 and 1106 of the Planning Code,
12 the designation of 583-587 Howard Street (Lot 099 in Assessor's Block 3736) is hereby
13 changed from "Unrated—Category V" to "Contributory—Category III". Appendix C of Article
14 11 is hereby amended to include this property. This amendment to the Article 11 designation
15 were initiated by application of the owner and by Resolution No. 606 of the Landmarks
16 Preservation Advisory Board on November 15, 2006 and by Resolution No. 17367
17 of the Planning Commission, which Resolutions are on file with the Clerk of the Board of
18 Supervisors in File No. 070039 and which Resolutions are incorporated herein by
19 reference as though fully set forth.

20 Section 3. The properties shall be subject to further controls and procedures pursuant
21 to the San Francisco Planning Code and Article 11.

22 APPROVED AS TO FORM:
23 DENNIS J. HERRERA, City Attorney

24 By:


25 Marlena G. Byrne
Deputy City Attorney



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070039

Date Passed:

Ordinance amending the designation of 583-587 Howard Street from "Unrated—Category V" to "Contributory—Category III" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

April 17, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

April 24, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

File No. 070039

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 24, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

MAY 04 2007

Date Approved

Kay Gulbengay

Kay Gulbengay
Interim Clerk of the Board

Mayor Gavin Newsom

96-07

[Planning Code—Amending Article 11 Designation of 625-631 Pine Street and 635-659 Pine Street.]

Ordinance amending the designation of 625-631 Pine Street from "Unrated—Category V" to "Significant—Category I" under Planning Code Article 11; amending the designation of 635-659 Pine Street from "Unrated—Category V" to "Significant—Category I" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1: Findings.

(a) On January 25, 2007, at a duly noticed public hearing, the Planning Commission in Resolution No. 17366 found that the proposed amendments to the Article 11 designations of 625-631 Pine Street and 635-659 Pine Street were consistent with the City's General Plan and with Planning Code Section 101.1(b). In addition, the Planning Commission recommended that the Board of Supervisors adopt the Article 11 designation amendments. A copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 070045 and is incorporated herein by reference. The Board finds that the proposed amendments to the Article 11 designations are consistent with the City's General Plan and with Planning Code Section 101.1(b) for the reasons set forth in said Resolution.

(b) Pursuant to Planning Code Section 302, the Board finds that the proposed amendments to the Article 11 designations will serve the public necessity, convenience and welfare for the reasons set forth in Planning Commission Resolution No. 17366, which

1 reasons are incorporated herein by reference as though fully set forth. A copy of said
2 Resolution is on file with the Clerk of the Board of Supervisors in File No. 070045.

3 (c) The Planning Department has determined that the actions contemplated in this
4 Ordinance are in compliance with the California Environmental Quality Act (California Public
5 Resources Code section 21000 et seq.). Said determination is on file with the Clerk of the
6 Board of Supervisors in File No.070045 and is incorporated herein by reference.

7 (d) The Board of Supervisors hereby finds that 625-631 Pine Street (Lot 1B in
8 Assessor's Block 271) and 635-659 Pine Street (Lot 23 in Assessor's Block 271), are at least
9 40 years old, are judged to be Buildings of Individual Importance, and are rated Very Good in
10 both Architectural Design and Relationship to the Environment, and that amending their
11 designation from "Unrated—Category V" to "Significant—Category I" will further the purposes
12 of and conform to the standards set forth in Article 11 of the San Francisco Planning Code.

13 Section 2: Designation.

14 (a) Pursuant to Sections 1102 and 1106 of the Planning Code, the designation of
15 625-631 Pine Street (Lot 1B in Assessor's Block 271) is hereby changed from "Unrated—
16 Category V" to "Significant—Category I". Appendix A of Article 11 is hereby amended to
17 include this property.

18 (b) Pursuant to Sections 1102 and 1106 of the Planning Code, the designation of
19 635-659 Pine Street (Lot 23 in Assessor's Block 271) is hereby changed from "Unrated—
20 Category V" to "Significant—Category I". Appendix A of Article 11 is hereby amended to
21 include this property.

22 (c) These amendments to the Article 11 designations were initiated by application of
23 the owner and by Resolution No. 607 of the Landmarks Preservation Advisory Board on
24 November 15, 2006 and by Resolution No. 17366 of the Planning Commission,

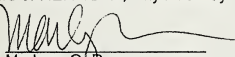
1 which Resolutions are on file with the Clerk of the Board of Supervisors in File No.

2 070045 and which Resolutions are incorporated herein by reference as though fully
3 set forth.

4 Section 3. The properties shall be subject to further controls and procedures pursuant
5 to the San Francisco Planning Code and Article 11.

6 APPROVED AS TO FORM:
7 DENNIS J. HERRERA, City Attorney

8 By:


9 Marlena G. Byrne
10 Deputy City Attorney



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070045

Date Passed:

Ordinance amending the designation of 625-631 Pine Street from "Unrated—Category V" to "Significant—Category I" under Planning Code Article 11; amending the designation of 635-659 Pine Street from "Unrated—Category V" to "Significant—Category I" under Planning Code Article 11; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings.

April 17, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

April 24, 2007 Board of Supervisors — FINALLY PASSED

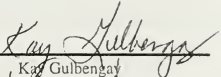
Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval, Ammiano

File No. 070045

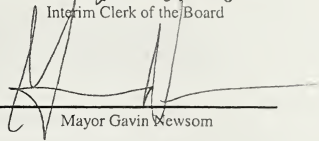
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 24, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

MAY 04 2007

Date Approved



Kay Gulbengay
Interim Clerk of the Board



Mayor Gavin Newsom

97-07

[Police Staffing at the Airport and Deployment of Personnel to District Stations.]

Ordinance adding Section 2A.87 of the San Francisco Administrative Code to: require the Chief of Police and Airport Director to determine staffing needs at the Airport Bureau; require the Chief of Police to create a staffing plan to redeploy sworn Airport Bureau personnel under certain circumstances; and set reporting requirements.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Sections 2A.87, to read as follows:

SEC. 2A.87. POLICE STAFFING AND DEPLOYMENT TO DISTRICT STATIONS

(a) Airport Bureau Staffing Review. The Chief of Police and the Director of the San Francisco International Airport shall jointly establish a methodology for assessing staffing needs for the Police Department Airport Bureau. In establishing that methodology, the Chief and Director shall consult with the Controller's Office. The methodology shall take into account passenger traffic at the Airport; security mandates and restrictions, including any imposed by the Transportation Security Administration and other government agencies; policing activity at the Airport, including calls for service and traffic responsibilities; and any other factors that the Chief and the Director determine are relevant. Using that methodology, the Chief and Director shall jointly determine the baseline number and type of personnel required to meet the security and policing needs of the Airport ("Baseline Personnel"). The Chief and Director shall establish the staffing-needs methodology and make the initial Baseline Personnel determination by no later than July 1, 2007. The Chief and Director shall

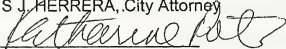
1 review and where appropriate revise the staffing-needs methodology and the Baseline Personnel
2 determination by July 1 each year thereafter.

3 (b) **Redeployment of Airport Bureau Personnel.** The Chief of Police shall create a plan to
4 redeploy any full duty sworn Airport Bureau personnel above the sworn Baseline Personnel when the
5 number of full duty sworn officers on the force in the City and County falls below the Charter-
6 mandated level of 1,971 officers ("Staff Redeployment Plan"). The Chief shall design the Staff
7 Redeployment Plan to provide maximum flexibility throughout the year to redeploy full duty sworn
8 Airport Bureau personnel to the City and County to respond to staffing shortages, increases in crime or
9 violence, or other circumstances that create a need for additional sworn personnel in the City and
10 County. The Staff Redeployment Plan shall provide that any redeployed Airport Bureau personnel at
11 the rank of officer or sergeant be assigned to District Stations, and that any redeployed Airport Bureau
12 personnel at the rank of lieutenant or above be assigned based on the needs of the Department. The
13 Chief shall create the Staff Redeployment Plan by no later than July 1, 2007. The Chief shall review
14 and where appropriate revise the Staff Redeployment Plan by July 1 each year thereafter.

15 (c) **Reporting.** Beginning July 1, 2007, and continuing each July 1 thereafter, the Chief of
16 Police shall report to the Mayor, the Board of Supervisors and the Police Commission on the
17 following: (1) the staffing-needs methodology and Baseline Personnel determination for the Airport
18 Bureau; and (2) the Staff Redeployment Plan. Beginning July 1, 2008 and continuing each July 1
19 thereafter, the Chief of Police shall report to the Mayor, the Board of Supervisors and the Police
20 Commission, data regarding any occasions during the prior fiscal year when the Chief redeployed
21 sworn personnel under the Staff Redeployment Plan.

22 APPROVED AS TO FORM:
23 DENNIS J. HERRERA, City Attorney

24 By:

25 
Katharine Hobin Porter
Deputy City Attorney



City and County of San Francisco
Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070271

Date Passed:

Ordinance adding Section 2A.87 of the San Francisco Administrative Code to: require the Chief of Police and Airport Director to determine staffing needs at the Airport Bureau; require the Chief of Police to create a staffing plan to redeploy sworn Airport Bureau personnel under certain circumstances; and set reporting requirements.

April 17, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick,
Mirkarimi, Peskin, Sandoval
Noes: 1 - Jew

April 24, 2007 Board of Supervisors — FINALLY PASSED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi,
Peskin, Sandoval, Ammiano
Noes: 1 - Jew

File No. 070271

I hereby certify that the foregoing Ordinance
was **FINALLY PASSED** on April 24, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

MAY 04 2007

Date Approved

Kay Gulbengay
Kay Gulbengay

Interim Clerk of the Board

Mayor Gavin Newsom
Mayor Gavin Newsom

98-07

FILE NO. 070269

ORDINANCE NO.

[Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning May 5, 2007.]

Ordinance adding Section 6.13 to the San Francisco Park Code to prohibit, on a trial basis from Saturday May 5, 2007 and continuing for six months to Saturday November 3, 2007, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive and the western side of Hagiwara Tea Garden Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from May 26, 2007 until September 29, 2007; requesting development of improvement plan for Middle Drive West between Transverse Drive and Metson Road; requiring reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; requiring the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; requiring a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Planning Department has determined that the actions contemplated in this Ordinance are in compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of

1 the Board of Supervisors in File No. 070269 and is incorporated herein by
2 reference.

3 Section 2. In 2006, Mayor Newsom and Supervisor McGoldrick jointly commissioned a
4 study of the weekend access conditions to and around Golden Gate Park in light of the long-
5 standing Sunday road closure of John F. Kennedy Drive and the vehicular access to this area
6 that is allowed on Saturdays. In response to this request, the San Francisco County
7 Transportation Authority, in consultation with the San Francisco Municipal Transportation
8 Agency, prepared and published the Golden Gate Park Transportation Access Study, Report
9 on Weekend Access Conditions Summer 2006 (February 2007). This report is on file with the
10 Clerk of the Board of Supervisors in File No. 070269 and is incorporated herein by
11 reference. Based on the findings of this report and discussions among affected stakeholders,
12 elected officials, and City departments, the Board has determined that a six-month trial
13 temporary closure of a portion of John F. Kennedy Drive in Golden Gate Park on Saturdays is
14 warranted in order to generate additional data and information as well as to provide for
15 expanded opportunities for healthy recreational activity and enjoyment of the Park on
16 Saturdays. For purposes of this legislation, the Board hereby acknowledges and adopts the
17 findings of this report as its own.

18 Section 3. The San Francisco Park Code is hereby amended by adding Section 6.13
19 to read as follows:

20 SEC. 6.13. PROHIBITION ON MOTOR VEHICLE TRAFFIC IN GOLDEN GATE PARK ON
21 SATURDAYS.

22 (a) Findings and Purpose.

23 (i) This legislation supports and is in furtherance of the findings set forth in Section
24 6.12.

25 (ii) The public interest will be served by a temporary Saturday closure, on a trial

1 basis, of John F. Kennedy Drive, between Kezar Drive and Transverse Drive and the western side
2 of Hagiwara Tea Garden Drive, and closures of portions of adjacent roads of Stow Lake Drive
3 East connecting with that portion of John F. Kennedy Drive.—The limited vehicular access to the
4 Golden Gate Park Concourse area and the CAS provide an opportunity to extend to
5 Saturdays the popular Sunday and holiday road closures in Golden Gate Park on a trial basis.
6 This coincides with the CAS' closure, and thus has no possible negative impact on the. This
7 trial period of Saturday road closures will expand the possibilities for recreational and other
8 uses of Golden Gate Park during the six-month period of the road closures, and will provide
9 useful information to aid the City in making future decisions about Saturday road closures in
10 the Park.

11 • (iii) This trial specified period of Saturday road closures is necessary for the safety and
12 protection of persons who would use these roads during the temporary closures.

13 (b) Saturday Road Closures. The following roads in Golden Gate Park shall be closed to
14 motor vehicle traffic on Saturdays, from 6:00 a.m. to 56:00 p.m. Pacific Standard Time and 6:00 a.m.
15 to 6:00 p.m. Pacific Daylight Time, regardless of subject to the inclement weather conditions
16 protocols that apply to the current Sunday road closures, which involve removal of the road
17 closure barriers at 2:00 p.m. if it is raining: John F. Kennedy Drive between Kezar Drive and
18 Transverse Drive and the western side of Hagiwara Tea Garden Drive; Arguello Boulevard;
19 Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive
20 between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake
21 Drive East and John F. Kennedy Drive. The Recreation and Park Department, with the assistance, as
22 needed, of other City departments, shall arrange for appropriate barriers to motor vehicles to be
23 placed at entrances to Golden Gate Park and within Golden Gate Park so as to effectuate the
24 forementioned street closures. The Saturday road closures mandated in this subsection (b) shall be in
25 effect beginning Saturday May 5, 2007 and continuing for six (6) months thereafter until

1 Saturday November 3, 2007 on May 26, 2007 and continuing until September 29, 2007.

2 (c) The disability access standards, exempt motor vehicles provision, and the emergency
3 authority of the General Manager, as set forth in Sections 6.12(b), (c), and (d), respectively, shall apply
4 to the Saturday road closures established herein. The Saturday closures established herein also
5 shall be subject to the following additional conditions:

6 (i) Notwithstanding the starting date for the closures set forth in subsection (b),
7 such closures shall not be implemented until the Director of the Mayor's Office of Disability, in
8 consultation with the Recreation and Park Department and the DeYoung Museum Access
9 Division, has confirmed in writing that physical accessibility is provided through the closure
10 area compliant with the Americans with Disabilities Act.

11 (ii) Vehicle deliveries to the DeYoung Museum loading dock during the
12 Saturday closure are specifically acknowledged and authorized herein. Such vehicles shall
13 have unimpeded access to the Museum's loading dock from John F. Kennedy Drive through
14 the road closure area. The DeYoung Museum shall develop appropriate protocols that
15 provide for unencumbered delivery access to its loading dock and maintain safety of
16 individuals within the road closure area. The Museum shall evaluate such protocols and
17 delivery activities on a regular basis to ensure that adequate delivery access and public safety
18 are maintained. If necessary, the Recreation and Park Department, in consultation with the
19 Mayor's Office, shall institute additional or modified methods that ensure adequate delivery
20 access to the Museum and public safety.

21 (iii) The Recreation and Park Department, in consultation with the Mayor's
22 Office of Disability, shall develop appropriate signage for the Saturday Road closure to
23 minimize any traffic disruption.

24 (d) Effect on Sunday and Holiday Road Closures. Except as provided in subsection (d),
25 this This section is not intended to have any effect on street closures in Golden Gate Park on Sundays

1 ~~and holidays, or to limit the authority of the Recreation and Park Commission to expand road~~
2 ~~closures in Golden Gate Park on Sundays and holidays beyond their present scope or to~~
3 ~~extend road closures in Golden Gate Park to other days.~~

4 (e) Conflict With Other Provisions of Law. If any provision of this section conflicts with an
5 earlier enacted provision of this Article or of any other earlier enacted provision of law, and the
6 conflict cannot be reasonably reconciled, the provision of this section shall govern.

7 (f) Severability. If any provision, sentence, clause, or other part of this section is held to be
8 invalid or unlawful, such a holding shall not limit or abrogate other parts of this section that can be
9 given effect independently of the invalid or unlawful provision, sentence, clause, or part. If the
10 application of a provision, sentence, clause, or other part of this section to a person or class of persons,
11 or to a specific circumstance, is held to be invalid or unlawful, such a holding shall not limit or
12 abrogate other applications of the same provision, sentence, clause, or part that can be given effect
13 independently of the invalid or unlawful application.

14 Section 4. This Section shall be uncoded. (a) Departmental Reports on the
15 Saturday road closure. (i) The Recreation and Park Department, in consultation with such
16 other departments as it deems appropriate, shall ~~conduct a study of~~ prepare a report on the
17 impact of the Saturday road closures on use of Golden Gate Park and its attractions, including
18 particularly disability access, vehicular deliveries to the DeYoung Museum's loading dock, and
19 recreational and other use of the roads closed to motor vehicle traffic. By no later than
20 December 15, 2007, the Recreation and Park Department shall transmit to the Board of
21 Supervisors a written report ~~detailling the results of its study~~, including any recommendations it
22 deems appropriate.

23 ~~(ii) The Department of Parking and Traffic, in consultation with such other departments~~
24 ~~as it deems appropriate, shall conduct a study of the impact of the Saturday road closures on~~
25 ~~parking and traffic patterns in neighborhoods adjacent to Golden Gate Park and on patterns of~~

1 cross-traffic in the Park. By no later than December 15, 2007, the Department of Parking and
2 Traffic shall transmit to the Board of Supervisors a written report detailing the results of its
3 study, including any recommendations it deems appropriate.

4 (iii) Within two (2) weeks after the initial three (3) months of the Saturday closure, the
5 Department of Park and Recreation and the Department of Parking and Traffic shall submit to
6 the Board preliminary reports addressing the issues identified in subsections (a)(1) and (a)(ii)
7 above. The reports also shall describe problems observed during this initial closure period
8 and any actions taken to abate such problems.

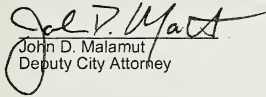
9 (iv) The Golden Gate Park Concourse Authority shall cooperate with the Recreation
10 and Park Department and the Department of Parking and Traffic in connection with the
11 studies mandated in subsections (a)(i)-(ii), by sharing data and reports of its own that are
12 relevant to those respective studies.

13 (b) Board of Supervisors Hearing. The Board of Supervisors or a committee thereof
14 shall conduct a hearing on the Saturday road closures within one month of receiving the
15 reports required by subsections (a)(i) and (a)(ii). Improvements on and adjacent to Middle
16 Drive West. The Recreation and Park Department, subject to any necessary approvals from
17 the Recreation and Park Commission and shall develop and implement a capital improvement
18 and programmatic plan for Middle Drive West between Transverse Drive and Metson Road
19 (the "Plan"). The intent of such Plan is to enhance the recreational uses in this area for bikers,
20 walkers, skaters, and other park visitors. The Plan may include, but is not limited to, road
21 surface repairs, concessions, and restrooms. The Plan shall be prepared in consultation with
22 affected community stakeholders, such as bicyclist and other Park recreational users, persons
23 with disabilities, neighborhood organizations on both the north and south sides of the Park,
24 and the institutions within the Park. In addition, it is anticipated that private philanthropic
25 interests also will participate in this effort and contribute to the capital improvements that the

1 Plan identifies. The Recreation and Park Department shall report to the Recreation and Park
2 Commission on the progress and implementation of the Plan until its completion.

3
4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By:

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8 John D. Malamut
9 Deputy City Attorney
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City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070269

Date Passed:

Ordinance adding Section 6.13 to the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from May 26, 2007 until September 29, 2007; requesting development of improvement plan for Middle Drive West between Transverse Drive and Metson Road; requiring reports from the Recreation and Park Department pertaining to the Saturday road closures; and making environmental findings.

April 17, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Jew

April 24, 2007 Board of Supervisors — FINALLY PASSED

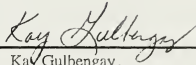
Ayes: 9 - Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano
Noes: 2 - Alioto-Pier, Jew

File No. 070269

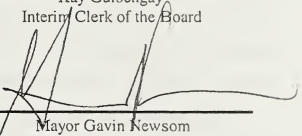
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 24, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

MAY 04 2007

Date Approved



Kay Gulbengay
Interim Clerk of the Board



Mayor Gavin Newsom

98-07

FILE NO. 070269

ORDINANCE NO.

[Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning May 5, 2007.]

Ordinance adding Section 6.13 to the San Francisco Park Code to prohibit, on a trial basis from Saturday May 5, 2007 and continuing for six months to Saturday November 3, 2007, motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Kezar Drive and Transverse Drive and the western side of Hagiwara Tea Garden Drive; Arguello Boulevard; Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from May 26, 2007 until September 29, 2007; requesting development of improvement plan for Middle Drive West between Transverse Drive and Metson Road; requiring reports from the Recreation and Park Department and Department of Parking and Traffic pertaining to the Saturday road closures; requiring the Golden Gate Park Concourse Authority to share its own data and reports that are relevant to the Saturday road closures with the aforementioned departments; requiring a hearing on the Saturday road closures before the Board of Supervisors or a Board committee; and making environmental findings.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Planning Department has determined that the actions contemplated in this Ordinance are in compliance with the California Environmental Quality Act (California Public Resources Code sections 21000 et seq.). Said determination is on file with the Clerk of

DOCUMENTS DEPT.

Supervisor McGoldrick
BOARD OF SUPERVISORS

MAY 22 2007

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PUBLIC LIBRARY

1 the Board of Supervisors in File No. 070269 and is incorporated herein by
2 reference.

3 Section 2. In 2006, Mayor Newsom and Supervisor McGoldrick jointly commissioned a
4 study of the weekend access conditions to and around Golden Gate Park in light of the long-
5 standing Sunday road closure of John F. Kennedy Drive and the vehicular access to this area
6 that is allowed on Saturdays. In response to this request, the San Francisco County
7 Transportation Authority, in consultation with the San Francisco Municipal Transportation
8 Agency, prepared and published the Golden Gate Park Transportation Access Study, Report
9 on Weekend Access Conditions Summer 2006 (February 2007). This report is on file with the
10 Clerk of the Board of Supervisors in File No. 070269 and is incorporated herein by
11 reference. Based on the findings of this report and discussions among affected stakeholders,
12 elected officials, and City departments, the Board has determined that a six-month trial
13 temporary closure of a portion of John F. Kennedy Drive in Golden Gate Park on Saturdays is
14 warranted in order to generate additional data and information as well as to provide for
15 expanded opportunities for healthy recreational activity and enjoyment of the Park on
16 Saturdays. For purposes of this legislation, the Board hereby acknowledges and adopts the
17 findings of this report as its own.

18 Section 3. The San Francisco Park Code is hereby amended by adding Section 6.13
19 to read as follows:

20 SEC. 6.13. PROHIBITION ON MOTOR VEHICLE TRAFFIC IN GOLDEN GATE PARK ON
21 SATURDAYS.

22 (a) Findings and Purpose.

23 (i) This legislation supports and is in furtherance of the findings set forth in Section
24 6.12.

25 (ii) The public interest will be served by a temporary Saturday closure, on a trial

1 basis, of John F. Kennedy Drive, between Kezar Drive and Transverse Drive and the western side
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6 This coincides with the CAS' closure, and thus has no possible negative impact on the. This
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8 uses of Golden Gate Park during the six-month period of the road closures, and will provide
9 useful information to aid the City in making future decisions about Saturday road closures in
10 the Park.

11 • (iii) This trial specified period of Saturday road closures is necessary for the safety and
12 protection of persons who would use these roads during the temporary closures.

13 (b) Saturday Road Closures. The following roads in Golden Gate Park shall be closed to
14 motor vehicle traffic on Saturdays, from 6:00 a.m. to 5:00 p.m. Pacific Standard Time and 6:00 a.m.
15 to 6:00 p.m. Pacific Daylight Time, regardless of subject to the inclement weather conditions
16 protocols that apply to the current Sunday road closures, which involve removal of the road
17 closure barriers at 2:00 p.m. if it is raining: John F. Kennedy Drive between Kezar Drive and
18 Transverse Drive and the western side of Hagiwara Tea Garden Drive; Arguello Boulevard;
19 Conservatory Drive East and Conservatory Drive West; 8th Avenue; Bowling Green Drive
20 between John F. Kennedy Drive and Middle Drive East; and Stow Lake Drive between Stow Lake
21 Drive East and John F. Kennedy Drive. The Recreation and Park Department, with the assistance, as
22 needed, of other City departments, shall arrange for appropriate barriers to motor vehicles to be
23 placed at entrances to Golden Gate Park and within Golden Gate Park so as to effectuate the
24 forementioned street closures. The Saturday road closures mandated in this subsection (b) shall be in
25 effect beginning Saturday May 5, 2007 and continuing for six (6) months thereafter until

1 Saturday November 3, 2007 on May 26, 2007 and continuing until September 29, 2007.

2 (c) The disability access standards, exempt motor vehicles provision, and the emergency
3 authority of the General Manager, as set forth in Sections 6.12(b), (c), and (d), respectively, shall apply
4 to the Saturday road closures established herein. The Saturday closures established herein also
5 shall be subject to the following additional conditions:

6 (i) Notwithstanding the starting date for the closures set forth in subsection (b),
7 such closures shall not be implemented until the Director of the Mayor's Office of Disability, in
8 consultation with the Recreation and Park Department and the DeYoung Museum Access
9 Division, has confirmed in writing that physical accessibility is provided through the closure
10 area compliant with the Americans with Disabilities Act.

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12 Saturday closure are specifically acknowledged and authorized herein. Such vehicles shall
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19 Mayor's Office, shall institute additional or modified methods that ensure adequate delivery
20 access to the Museum and public safety.

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22 Office of Disability, shall develop appropriate signage for the Saturday Road closure to
23 minimize any traffic disruption.

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25 this This section is not intended to have any effect on street closures in Golden Gate Park on Sundays

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4 (e) Conflict With Other Provisions of Law. If any provision of this section conflicts with an
5 earlier enacted provision of this Article or of any other earlier enacted provision of law, and the
6 conflict cannot be reasonably reconciled, the provision of this section shall govern.

7 (f) Severability. If any provision, sentence, clause, or other part of this section is held to be
8 invalid or unlawful, such a holding shall not limit or abrogate other parts of this section that can be
9 given effect independently of the invalid or unlawful provision, sentence, clause, or part. If the
10 application of a provision, sentence, clause, or other part of this section to a person or class of persons,
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14 Section 4. This Section shall be uncodified. (a) Departmental Reports on the
15 Saturday road closure. (i) The Recreation and Park Department, in consultation with such
16 other departments as it deems appropriate, shall ~~conduct a study of~~ prepare a report on the
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19 recreational and other use of the roads closed to motor vehicle traffic. By no later than
20 December 15, 2007, the Recreation and Park Department shall transmit to the Board of
21 Supervisors a written report ~~detailing the results of its study~~, including any recommendations it
22 deems appropriate.

23 (ii) The Department of Parking and Traffic, in consultation with such other departments
24 as it deems appropriate, shall conduct a study of the impact of the Saturday road closures on
25 parking and traffic patterns in neighborhoods adjacent to Golden Gate Park and on patterns of

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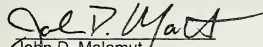
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5 Department of Park and Recreation and the Department of Parking and Traffic shall submit to
6 the Board preliminary reports addressing the issues identified in subsections (a)(1) and (a)(ii)
7 above. The reports also shall describe problems observed during this initial closure period
8 and any actions taken to abate such problems.

9 (iv) The Golden Gate Park Concourse Authority shall cooperate with the Recreation
10 and Park Department and the Department of Parking and Traffic in connection with the
11 studies mandated in subsections (a)(i)-(ii), by sharing data and reports of its own that are
12 relevant to those respective studies.

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16 Drive West. The Recreation and Park Department, subject to any necessary approvals from
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25 interests also will participate in this effort and contribute to the capital improvements that the

1 Plan identifies. The Recreation and Park Department shall report to the Recreation and Park
2 Commission on the progress and implementation of the Plan until its completion.

4 APPROVED AS TO FORM:
5 DENNIS J. HERRERA, City Attorney

6 By: 
7 John D. Malamut
8 Deputy City Attorney



City and County of San Francisco

Tails

Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 070269

Date Passed:

Ordinance adding Section 6.13 to the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from May 26, 2007 until September 29, 2007; requesting development of improvement plan for Middle Drive West between Transverse Drive and Metson Road; requiring reports from the Recreation and Park Department pertaining to the Saturday road closures; and making environmental findings.

April 17, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Jew

April 24, 2007 Board of Supervisors — FINALLY PASSED

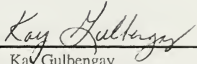
Ayes: 9 - Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano
Noes: 2 - Alioto-Pier, Jew

File No. 070269

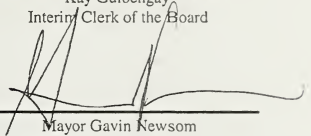
I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 24, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

MAY 04 2007

Date Approved



Kay Gulbengay
Interim Clerk of the Board



Mayor Gavin Newsom

99-07

FILE NO. 061535

ORDINANCE NO.

[Planning Code - Adjustment to fee programs.]

**Ordinance amending San Francisco Planning Code Sections 351 and 355 to adjust fees
for Planning Department services; and making environmental findings.**

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Findings. (a) The Planning Department has determined that the proposed fee adjustment are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15273(a), which exempts rates, tolls, fares and charges such as those proposed here.

(b) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this ordinance will serve the public necessity, convenience, and welfare for the reasons set forth in Planning Commission Resolution No. 17371, and incorporates those reasons herein by reference. A copy of said Planning Commission Resolution is on file with the Clerk of the Board of Supervisors in File No. 061535.

Section 2. The San Francisco Planning Code is hereby amended by amending Section 351, to read as follows:

SEC. 351. MISCELLANEOUS SERVICES.

(a) Agendas for Planning Commission: \$35.00 annual subscription to cover costs of mailing. The Planning Director or his/her designee may authorize exemptions in those instances where costs would impose financial hardship.

DOCUMENTS DEPT.

MAY 22 2007

Supervisor Peskin
BOARD OF SUPERVISORS

SAN FRANCISCO
PUBLIC LIBRARY

1 (b) Agendas for Landmarks Preservation Advisory Board: \$35.00 annual subscription
2 to cover costs of mailing. The Planning Director or his/her designee, may authorize exemption
3 in those instances where costs would impose financial hardship.

4 (c) Document Retrieval: Files stored on-site - actual costs for printing file(s), Files
5 stored off-site: - actual costs for retrieval, printing and return of files, as specified in a retrieval
6 schedule prepared by Director of Planning, or his/her designee.

7 (d) Information, Analysis, Report Preparation and Presentation, Research Services,
8 Data Requests: The costs of report preparation may be amortized by factoring full-cost
9 recovery into the pricing of such information and reports: \$200.00 as an initial fee.

10 (e) Monitoring Projects:

11 (1) Monitoring Conditions of Approval and Mitigation Measures Established
12 Pursuant to an Environmental Document or a Public Hearing by the Planning Commission or
13 Zoning Administrator for All Approved Applications in Chapter 31 of the Administrative Code
14 or Sections 352(a) and (i), 353(a) and (b) and 355: \$170.00 as an initial fee, plus time and
15 materials as set forth in Section 350(c).

16 (f) Project Review for Policy and Code Review and Interpretation for Prospective
17 Projects for which an Application has not been Filed, and Site-Specific Design Guidelines and
18 Code-Complying Massing Recommendations: \$300.00 for new construction and modifications
19 to ~~1 and 2 unit family dwellings~~ 5 or fewer dwelling units and for affordable housing projects as
20 defined in the Guidelines of the United States Housing and Urban Development Department,
21 and \$710.00 for all other projects.

22 (g)(~~1~~) Project Notifications for an Individual ~~or Organization~~ Requesting Notification of
23 Project Applications:

24 (~~1~~) First Address or First Assessor's Lot: \$25.00 per annum.

(2B) Additional Addresses: \$10.00 for addresses in each new Assessor's Lot thereafter, per annum.

(g)(2) Project Notifications for a Neighborhood Organization, defined as (i) having been in existence for 24 months prior to the request, and (ii) is listed on the Planning Department's neighborhood organization notification list, requesting Notification of Project Applications:

(A) First Address or First Assessor's Block: \$25.00 per annum.

(B) Additional Addresses: \$10.00 for addresses in each new Assessor's Block thereafter, per annum.

(h) Zoning Administrator Written Determinations Pursuant to Section 307(a): \$100.00 for zoning letters of conformance, \$450.00 for other written determinations

(i) Reactivating an application that the Zoning Administrator has deemed withdrawn due to inactivity and the passage of time, subject to the approval of the Zoning Administrator and within six months of the date the application was deemed withdrawn: \$190.00

Section 3. The San Francisco Planning Code is hereby amended by amending Section 355, to read as follows:

SEC. 355. PERMIT APPLICATIONS.

(a) Building permit applications for a change in use or alteration of an existing building, to be collected by Central Permit Bureau; provided, however, that the fees charged for Planning Department approval ~~at the Construction Services Center~~ over-the-counter for the replacement of windows, roofs, siding, and doors shall be reduced to 1/2 the fee set forth below.

TABLE INSET:

Estimated Construction Cost	Initial Fee
\$0.00 to \$499.00	\$272.00
\$500.00 to \$1,999.00	\$272.00 plus 14.27% of cost over \$500.00
\$2,000.00 to \$9,999.00	\$486.00 plus 2.85% of cost over \$2,000.00
\$10,000.00 to \$99,999.00	\$714.00 plus .50% of cost over \$10,000.00 plus \$72.00 Discretionary Review Surcharge
\$100,000.00 to \$499,999.00	\$1,164.00 plus .50% of cost over \$100,000.00 plus \$72.00 Discretionary Review Surcharge
\$500,000.00 to \$4,999,999.00	\$3,164.00 plus .386% of cost over \$500,000.00 plus \$72.00 Discretionary Review Surcharge
\$5,000,000.00 or more	\$20,534.00 plus \$72.00 Discretionary Review Surcharge

(1) Applications with Verified Violations of this Code: The Planning Department shall charge time and materials as set forth in Section 350(c).

(2) Back-Check Fee for Permit Revisions: \$170.00 for the initial fee, plus time and materials as set forth in Section 350(c), to be collected at time of permit issuance.

(3) Shadow Fee for New Construction or Alteration Exceeding 40 Feet in Height (Section 295): Additional \$390.00 plus time and materials as set forth in Section 350(c).

(4) Public Notification Fee for Projects Requiring Public Notice Pursuant to Section 311: Project sponsor may select two options (1) full service public notification whereby the City's reprographics department will print and mail public notices, ~~\$51.00~~ 40.00 plus ~~\$2.60~~ 2.70 per envelope (subject to increase based on envelope and postage costs), or (2) self service public notification whereby by appointment the Department will provide Planning Department labels for \$40.00 plus \$0.43 ~~45~~ per ~~label~~ envelope (subject to increase based on the cost of labels, envelopes, and printing), and a copy of the notice, ~~\$51.00~~.

(5) Public Notification Fee for Projects Requiring Public Notice Pursuant to Section 312: Project sponsor may select two options (1) full service public notification whereby the City's reprographics department will print and mail public notices, \$40.00 plus \$2.70 per envelope (subject to increase based on envelope and postage costs), or (2) self service public notification whereby by appointment the Department will provide Planning Department labels for \$40.00 plus \$0.45 per envelope (subject to increase based on the cost of labels, envelopes, and printing), and a copy of the notice, \$51.00.

(5g) For projects with a construction cost of \$5,000,000.00 or more, the applicant shall be charged the permit fee for a project with a \$5,000,000.00 construction cost.

(67) Permits for solar panels and over-the-counter permits for solar equipment installation shall be \$115.00 per permit. Electrical permits for solar equipment shall be free.

(b) Building Permit Applications for a New Building:

TABLE INSET:

Estimated Construction Cost	Initial Fee
Less than \$100,000.00	\$1,547.00, plus \$72.00 Discretionary Review Surcharge
\$100,000.00 to \$499,999.00	\$1,547.00 plus .665% of cost over \$100,000.00 plus \$72.00 Discretionary Review Surcharge
\$500,000.00 to \$4,999,999.00	\$4,207.00 plus .513% of cost over \$500,000.00 plus \$72.00 Discretionary Review Surcharge
\$5,000,000.00 or more	\$27,292.00 plus \$72.00 Discretionary Review Surcharge

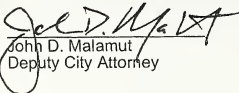
(c) Demolition Applications, to be collected by Central Permit Bureau: \$1,250.00.

(d) Fire, Police and Health Department Permit Applications Review: \$105.00 initial fee collected by the other Departments in conjunction with current fee collections, plus time and materials as set forth in Section 350(c).

(e) Sign Applications, to be collected by Central Permit Bureau: \$110.00.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By:


John D. Malamut
Deputy City Attorney

Supervisor Peskin
BOARD OF SUPERVISORS



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Ordinance

File Number: 061535

Date Passed:

Ordinance amending San Francisco Planning Code Sections 351 and 355 to adjust fees for Planning Department services; and making environmental findings.

April 17, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

April 24, 2007 Board of Supervisors — FINALLY PASSED

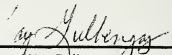
Ayes: 11 - Alioto-Pier, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval, Ammiano

File No. 061535

I hereby certify that the foregoing Ordinance
was FINALLY PASSED on April 24, 2007 by
the Board of Supervisors of the City and
County of San Francisco.

MAY 04 2007

Date Approved



Kay Gulbengay
Interim Clerk of the Board



Mayor Gavin Newsom

[Payment of Fixed Pedestal Permit Fees For Space In Fixed Pedestal Newsracks.]

Ordinance amending Public Works Code Section 184.12(e) to allow applicants for fixed pedestal permit to pay fixed pedestal permit fees within ten business days after the Director's allocation of space in a fixed pedestal newsrack.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~striketrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~striketrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Public Works Code is hereby amended by amending Section 184.12(e) thereof to read as follows:

Sec. 184.12(e) PERMIT REQUIREMENT.

(1) Fixed Pedestal Permit. Permits are necessary to facilitate the regulation and inspection of newsrack boxes for the purposes set forth in this section. Except where this section or the guidelines expressly provide otherwise, no person may place any publication in any newsrack box in a fixed pedestal unit on a public sidewalk, street or public right-of-way in a fixed pedestal zone for the purpose of sale or distribution without having first obtained from the Director a fixed pedestal permit authorizing placement of the publication in that newsrack box.

(2) Duty to Obtain Permit. Except where this section or the guidelines expressly provide otherwise, each publication seeking access to a newsrack box or boxes in a fixed pedestal unit or cluster of fixed pedestal units shall apply to the City or a fixed pedestal permit for each newsrack box in each fixed pedestal unit to which the publication seeks access. The permit holder shall be responsible for the payment of all fees or penalties due or imposed under this section with respect to that permit holder's newsrack box(es). Once a permit has

1 been granted pursuant to this section and the requirements of the guidelines, and if the permit
2 has not subsequently been revoked, the permit holder shall not be required to renew or
3 reapply for another fixed pedestal permit for the same newsrack box.

4 (3) Application. Application for a fixed pedestal permit shall be made in writing on a
5 form and in a manner provided by the City and filed with the Director or by other medium
6 approved by the Director. The application package shall inform the applicant of the
7 requirements of this section and the guidelines promulgated under this section.

8 (4) Permit Issuance.

9 (A) The Director shall grant or deny a properly completed and timely
10 application for a fixed pedestal permit from a publication, or from the agent for a publication,
11 accompanied by written authorization from the publication, ~~along with the required fee~~, as
12 specified in the guidelines, within fifteen (15) business days of the Director's receipt of the
13 application. However, if the Director has not completed the application of the space allocation
14 procedures set forth in subsection 184.12(h) and the guidelines, the Director shall have an
15 additional five (5) business days to grant or deny the application.

16 (B) The Director shall issue the fixed pedestal permit unless the Director finds
17 one or more of the following grounds for denial to exist, in which case the Director shall deny
18 the application for a permit. The grounds for denial of an application for a fixed pedestal
19 permit are: (i) the application is incomplete; (ii) the application was not submitted on time; ~~(iii)~~
20 ~~the required fee was not submitted on time;~~ ~~(iiv)~~ space in the newsrack box that is the subject of
21 the application is not available after application of the space allocation procedures set forth in
22 subsection 184.12(h) and the guidelines; or ~~(iv)~~ the publication that applied for the permit has
23 failed to pay any outstanding administrative penalties levied against it pursuant to subsection
24 184.12(k)(1)(A). If an application is denied, the Director shall notify the applicant promptly in
25

1 writing, explaining the reasons for the denial, and citing the relevant portions of this
2 subsection and the guidelines.

3 (5) Violations. Failure to comply with any requirement of this section, or any
4 requirement of the guidelines authorized by this section, shall constitute a violation of this
5 section. Any such violation may be cause for removal of the offending freestanding newsrack
6 or unauthorized fixed pedestal unit, or disabling of the offending newsrack box pursuant to
7 subsection 184.12(j), and for the imposition of administrative penalties pursuant to subsection
8 184.12(k).

9 (6) Permit Revocation.

10 (A) The Board of Supervisors specifically determines that any fixed pedestal
11 permit issued pursuant to this section confers a non-transferable, revocable privilege upon the
12 permit holder. Where one or more of the grounds for revocation specified in subparagraph (B)
13 exist, the Director shall promptly initiate such revocation in order to ensure that space in the
14 fixed pedestal unit is made available to another publication that will lawfully use it, including
15 publications that did not receive such space during initial implementation in the fixed pedestal
16 zone in which the fixed pedestal unit in question is located. Any such permit may be revoked
17 by the Director fifteen (15) business days after the Director provides written notice to the
18 permit holder that one or more of the grounds for revocation specified in subparagraph (B)
19 exist, if the permit holder does not correct all of the violations on or before the close of the
20 fifteenth (15th) business day. If the permit is revoked, the Director shall notify the permit
21 holder promptly in writing, explaining the reasons or the revocation, and citing the relevant
22 portions of this subsection and the guidelines.

23 (B) The grounds for revocation of a fixed pedestal permit are: (i) the permit
24 holder did not submit the required permit fee, as specified in the guidelines, within ten (10) business
25

1 days of the Director's approval of the voluntary space allocation agreement or of the space allocation
2 meeting at which the permit holder was allocated the newsrack box that is the subject of the permit; (ii)
3 the permit holder did not submit the required annual fee on time; (iii) the newsrack box that is
4 the subject of the permit has been vacated pursuant to subsection 184.12(j)(3)(D); ~~(iiiiv)~~ the
5 newsrack box that is the subject of the permit has been abandoned pursuant to subsection
6 184.12(b)(1); or (iv) the Director's decision to grant the permit was successfully challenged by
7 a person aggrieved by the determination pursuant to subsection 184.12(m) and the
8 guidelines. In addition, the Board of Supervisors may at any time in its exclusive legislative
9 discretion elect to repeal or amend this section and thereby render null and void any permits
10 issued pursuant this section.

11 APPROVED AS TO FORM:
12 DENNIS J. HERRERA, City Attorney

13 By:

14 
15 WAYNE SNODGRASS
16 Deputy City Attorney
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Ordinance

File Number: 070264

Date Passed:

Ordinance amending Public Works Code Section 184.12(e) to allow applicants for fixed pedestal permit to pay fixed pedestal permit fees within ten business days after the Director's allocation of space in a fixed pedestal newsrack.

April 17, 2007 Board of Supervisors — PASSED ON FIRST READING

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Jew, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

April 24, 2007 Board of Supervisors — FINALLY PASSED

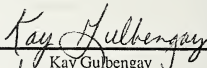
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File No. 070264

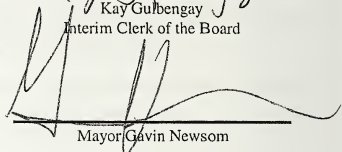
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County of San Francisco.

MAY 04 2007

Date Approved


Kay Gulbengay

Interim Clerk of the Board


Mayor Gavin Newsom

